Thursday
29th November, 1956

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(Part I - Questions and Answers)

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LOK SABHA

Thursday, 29th November, 1956

The Lok Sabha met at Eleven of the Clock

[MR. DEPUTY SPEAKER *in the Chair*]

ORAL ANSWERS TO QUESTIONS

Rising Price Trends

*589 { **Shri Bansal :** / **Shri D. C. Sharma :** } +

Will the Minister of **Finance** be pleased to state :

(a) the steps taken by Government during the last three months to keep a check on the rising price trend in the country; and

(b) how far these measures have been effective ?

The Minister of Finance and Iron and Steel (Shri T. T. Krishnamachari): (a) A statement showing the measures taken to check the upward trend in prices over the last three months—August to October 1956—is laid on the Table of the House [*See* Appendix III, Annexure No. 23].

(b) The upward trend in prices was under check till early this month. But during the last two or three weeks it shows signs of hardening.

Shri Bansal : If I heard the hon. Minister correctly, he said that he is making a correction in the written answer. May I know which part of the written answer he is referring to?

Shri T. T. Krishnamachari : Nothing in regard to the statement; in regard to the written answer.

Shri T. S. A. Chettiar : May I know in what articles they have been able to check the rise in the level of prices and in what articles, they are able to stay the prices ?

Shri T. T. Krishnamachari: The measures taken were indirect. There were credit squeeze, imports of certain type of foodgrains, increase in excise duty, restriction of accumulation particularly in regard to cloth. It is very difficult to say which type of action that was taken had a particular type of result. The cumulative effect of all the steps that are taken has produced the result of staying the rise in prices.

Shri D. C. Sharma: May I know if the efforts made by the Government have been on an all-India basis or on a regional basis or both these have been taken into account while arresting the rise of prices ?

Shri T. T. Krishnamachari : Certain things could be on an all-India basis. Some have to have a regional character. For instance, we have decided to lift the credit squeeze on foodgrains. That is intended primarily to make a beginning in regard to paddy and rice. The new crop will be coming in the course of about a month. At that time credit squeeze will have to be lifted so that the prices will not be unduly depressed. so far as wheat and other crops are concerned, credit squeeze will be lifted only when the new crop will come in. There has to be a regional character in the measures that we have taken.

Shri Debeswar Sarmah : Is it a fact that rice is selling in most parts in Assam round about Rs. 26 per maund and Government reserve stocks of paddy were sold away at rather cheap prices round about Rs. 9 per maund some months back only? If these are facts, how do Government reconcile the position ?

Shri T. T. Krishnamachari : For one thing, I have no knowledge of the facts that the hon. Member has mentioned at present. I have to refer to my colleague, the Minister of Food and Agriculture. Then comes the question of reconciliation. I have to postpone reconciling the obviously inconsistent figures that the hon. Member has quoted.

Shri Punnoose : Is it a fact that these steps have not been very effective in southern India, especially in Kerala with regard to foodgrains and may I know what steps are being taken?

Shri T. T. Krishnamachari : In the case of Kerala, obviously these steps could not be effective because these steps can be effective only in areas which are producing areas, where middlemen hold stocks and raise prices. Kerala is an entirely deficit area depending very largely on imported foodgrains from other parts of India or from abroad.

Shri Heda : The Minister stated that in spite of various measures taken by the Government, the prices are hardening. May I know which are the trends that the Government are not able to control, whether those trends pertain to

consumer attitude or the producers' attitude or middlemen?

Shri T. T. Krishnamachari : In a whole list of commodities beginning with paddy, rice and wheat and coarser foodgrains gowing down to tea and jute bags, it is very difficult for me here to tell the hon. Member the steps taken in regard to every particular commodity. After all, the general index is made up of the prices of various commodities. There has been a little hardening in the price of tea. It certainly has an effect on the general index. So far as paddy stocks are concerned, they are very low. Our hope is that there will be a good crop and the difficult price position will be a matter of a few weeks. It may not be so in other cases. There has been a little hardening in the price of coarser grains largely because of the crops being short. On the other hand, we are told that cotton is going to be reasonably good. So are oilseeds. These are factors which it is very difficult to assess unless they are pieced together. We can only press them together and present a picture. I cannot discuss individual commoditirs.

Shri Bansal : May I know what is the latest general price index as compared to that about two months back?

Shri T. T. Krishnamachari : The price index on September 1st was 422. It came down to 417 on 27th of October. Today it is round about 430.

Indian National Commission for U.N.E.S.C.O.

*590. **Shri Krishnacharya Joshi :** Will the Minister of **Education** be pleased to state:

(a) whether the resolutions passed by the second conference of Indian National Commission for U.N.E.S.C.O, held in February, 1956, in New Delhi, have been implemented; and

(b) if so, the details of the main recommendations implemented?

The Deputy Minister of Education (Dr. M. M. Das): (a) and (b). A statement is laid on the Table of the House. [*See* Appendix III, Annexure No. 24].

Shri Krishnacharya Joshi : May I know who have been appointed as the Architect and Consultant? What would be their remuneration?

Dr. M. M. Das : That question does not arise out of this.

Shri Krishnacharya Joshi : What were the subjects about which recommendations were made?

Dr. M. M. Das : The Indian Commission for co-operation with the U.N.E.S.C.O. passed resolutions on education, science, culture, mass communication, literature for the neo-literates, etc.

Shri Krishnacharya Joshi : May I know whether any of the recommendations made by the Indian Commission have been accepted by the U.N.E.S.C.O. and if so, what are they?

Dr. M. M. Das : The Hon. Member knows that the Ninth General Conference of the U.N.E.S.C.O. has not yet concluded. They are still continuing their deliberations. Up till now, two of the recommendations made by the Indian Commission for Co-operation with the U.N.E.S.C.O. have been accepted by the General Conference. These are major projects for mutual appreciation of eastern and western cultural values and increase in the Budget of the U.N.E.S.C.O.

Public Service (Qualifications and Recruitment) Committee's Report

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*591 **Shri D.C. Sharma:**
Shri Jhulan Sinha:
Sardar Iqbal Singh :
Sardar Akarpuri:

Will the Minister of **Home Affairs** be pleased to refer to the reply given to Starred Question No. 1022 on the 13th August, 1956, and state:

(a) whether the Report of the Public Service (Qualifications and Recruitment) Committee and comments of State Governments thereon have been considered by Government; and

(b) if so, whether any decision has been taken thereon?

The Minister in the Ministry of Home Affairs (Shri Datar): (a) Most of the State Governments have expressed their comments on the Report of the Committee. Replies from the Governments of Bihar, Jammu and Kashmir, Orissa, Bombay and Manipur are still awaited.

(b) A decision on the recommendations of the Committee will be taken after replies from all the States have been received and considered.

Shri D. C. Sharma: May I know how many States there are whose replies are still awaited and whether any time limit has been set for the receipt of these replies?

Shri Datar: Replies are being awaited from the Governments of Bihar, Jammu and Kashmir, Orissa, Bombay and Manipur as also from the Ministries of Education and Finance and the U. P. S. C.

Janata Colleges

*592. **Shri S. C. Samanta :** Will the Minister of **Education** be pleased to state:

(a) whether there is any uniformity followed by the existing Janata Colleges in India as regards the syllabus standard and periodicity of training etc.; and

(b) if not, what steps Government intend to take in the matter ?

The Deputy Minister of Education (Dr. K. L. Shrimali): (a) No, Sir.

(b) The Government do not think it desirable to have any rigid uniformity in these institutions.

Shri S. C. Samanta: May I know the maximum period of training in the Janata Colleges and the minimum also?

Dr. K. L. Shrimali : The minimum is two months and the maximum, as far as I know, is five months.

Shri S. C. Samanta : May I know why Government is not having any uniformity in the period of training as two months' training is nothing to the students and they take time to acquaint themselves with the teachers?

Dr. K. L. Shrimali : The Government arranged a seminar on Janata Colleges some time back and the seminar made certain recommendations with regard to the courses. The main reason why the Government do not consider it desirable to have uniformity in these institutions with regard to the duration of courses etc. is the fact that the main purpose of these institutions is to train community leaders and there cannot be any rigid courses and curricula for these institutions.

Shri T. S. A. Chettiar : May I know whether one of the reasons why these Janata Colleges have not really attracted the attention and following that was expected is the fact that none of these courses are given any status for the purpose of higher studies or employment ?

Dr. K. L. Shrimali : It was never the purpose of the Janata College to be a stepping stone for higher educational institutions. The main purpose of the Janata College is to take in community leaders and give them a short course in general knowledge and send them back to their communities so that they might serve their own communities in a better way.

Shri Joachim Alva : Is Government aware that a large number of students who have passed the Secondary School Certificate examination or matriculation want to enter these Janata Colleges because they get no opportunity to enter the qualified colleges? Have Government considered a scheme of putting them into technical schools and training them as technical personnel ?

Dr. K. L. Shrimali : This is a much wider question which is not directly connected with this question.

Dr. Ram Subhag Singh : The hon. Deputy Minister says that the primary aim of the Janata College is to train community leaders. May I know whether the trainees are properly selected before they are admitted into the college or does anybody who enters the college become a community leader after the training ?

Dr. K. L. Shrimali : It is the responsibility of the Janata College to make the selection.

Dr. Rama Rao : May I know whether, even if there is no rigid syllabus for these Colleges, Government publish any text books for general knowledge on science and other subjects so that they will be a guide to these colleges ? Or has each college its own syllabus and course.

Dr. K. L. Shrimali: Government have not published any text books but as I said in my previous answer the Government had arranged a seminar where all the Principals of the Janata Colleges and other interested persons were invited to discuss how this should be run and to exchange ideas. Their recommendations have been circulated to the State Governments.

Shri Punnoose : May I know how many such colleges are now in existence and where and whether Government intend opening more such colleges?

Dr. K. L. Shrimali : The total number of Janata Colleges which were started in the last Five Year Plan is 25.

Shri Velayudhan : May I know how many community leaders as the Minister has stated have been produced by these colleges and whether they are having any kind of avocation at present and whether these professors and teachers.....

Mr. Deputy-Speaker : Not so many "whethers"; only one "whether".

Dr. K. L. Shrimali : I could not hear. Will the hon. Member repeat the question?

Mr. Deputy-Speaker: All right. He will have it a second time. Next question

Religious Teachers

*593. **Shri Dabhi:**
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Shri Bhakt Darshan:

Will the Minister of **Defence** be pleased to refer to the reply given to Starred Question No. 78 on the 18th July, 1956, and state :

(a) whether Government have taken any decision regarding the removal of disparity in the rates of pay of Padres and religious teachers belonging to other denomination ; and

(b) if so, the nature thereof?

The Deputy Minister of Defence (Sardar Majithia) : (a) Yes, Sir.

(b) Orders were issued on the 24th October 1956 to the effect that Padres will in future be recruited on the same rates of pay as are applicable to Religious

Teachers belonging to other denominations. Padres who were in service on that date have however been permitted to continue to draw pay at the then existing rate in order to avoid hardship to them.

श्री भक्त दर्शन : माननीय मंत्री ने जो उत्तर दिया है, क्या उसका मतलब यह है कि वहां पर हिन्दू या दूसरे धार्मिक अध्यापकों का तन बढ़ना चाहिये था, वहां पादरी लोगों का वेतन भी घटा दिया गया है ? यदि हां, तो इस निर्णय का क्या कारण है ?

Sardar Majithia: It is true that in future the Padres will get the same remuneration as the religious teachers of other communities are getting at the moment. The reason for this revision is firstly the questions by the hon. Member in Parliament and secondly it is felt that now there is no need for giving a higher pay to the Padres who are now Indians while formerly they were Europeans.

श्री भक्त दर्शन : क्या गवर्नमेंट ने इस बात पर विचार किया है कि इस समय जो ३५ रुपये का वेतन धार्मिक अध्यापकों को दिया जा रहा है, वह बहुत ही अपर्याप्त है और उस से बड़ा असन्तोष फैला हुआ है ?

Sardar Majithia : We know that people are always clamouring for higher pay. We know about that.

Solar Energy

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*594. { **Shri Gidwani** :
Shri Ram Krishan :

Will the Minister of **Natural Resources and Scientific Research** be pleased to state:

(a) whether it is a fact that experiments in the National Physical Laboratory on the utilisation of solar energy for domestic and industrial purposes have yielded good results;

(b) whether any scheme has been finalised for the development of power from solar radiation: and

(c) if so, main features thereof ?

The Minister of National Resources (Shri K.D. Malaviya): (a) to (c). Researches on utilisation of solar energy in various ways for domestic and industrial purposes are under way as a part of the normal research programme of the National Physical Laboratory. The work has, however, not yet reached a stage at which the value of the results so far achieved may be assessed. The researches include experiments on solar heating, development of solar engines, refrigeration and air-conditioning, industrial application and solar water distillation.

Shri Gidwani : May I know whether the scheme for the production of solar cookers has been given up?

Shri K. D. Malaviya: No, Sir. It has not been given up and it is not likely to be given up. I would like with your permission to remove the misunderstanding that solar cooker is something which can just go ahead because the technical processes are completed. There are many other problems involved around it, for instance the acceptability of the people. The acceptability of the people will only depend on its economic price and various other facilities that they like. I would like to inform the hon. Members that a thing like pressurised cooker devised about 60 years back has not yet been accepted by the people. Therefore in spite of the technological progress made in this connection I still think it might be decades before the solar cooker could come anywhere near being accepted.

Shrimati Tarkeshwari Sinha : May I know whether the Government has calculated the cost of utilising solar energy for industrial purposes as compared with the cost of utilising electricity and other energies for industrial purposes and if so what is the conclusion that the Government has arrived at ?

Shri K. D. Malaviya : We are still a very long way from the economics of solar heat utilisation for industrial purposes. It is nowhere near electrical energy that we are getting economically and the energy from the sources that are quite near us. The fundamental experiments and the investigations that are going on are giving us hope that perhaps we may be able to utilise solar energy for industrial purposes in certain cases.

Shri Velayudhan : May I now how many solar cookers we had produced, how much we had spent for that and how much was wasted ?

Shri K. D. Malaviay : We have not wasted any money so far as manufacture of the solar cookers is concerned. Those people who are manufacturing ought to spend more money to popularise it.

Shri G. S. Singh : The hon. Minister referred to solar cookers. May I know whether he has any comparative figures regarding the money that could be saved on fuel and that might be spent on medical fees by people contracting heat stroke while using these cookers ?

Shri K. D. Malaviya : I have not yet got that information.

Shri Dabhi : May I know the extent to which people have accepted solar cookers ?

Shri K. D. Malaviya : They have not yet accepted the idea.

Shri S. C. Deb : May I know whether there is any idea of promoting some scheme on a domestic basis ?

Shri K. D. Malaviya : Yes, the solar cooker scheme and the utilisation of solar energy for heating water are all inter-related and are meant for giving benefit to the family units.

Shri P. C. Bose : May I know whether it is a fact that in America and some other countries solar energy is being used for working radios and telephones and if so whether the Laboratory has taken note of this ?

Mr. Deputy-Speaker : The hon Member is giving information and not seeking.

National Theatre

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*595 { **Shri D. C. Sharma** ; **Shri Ram Krishan** : **Shrimati Tarkeshwari Sinha**: **Shri Shree Narayan Das** :

Will the Minister of **Education** be pleased to state the present position in regard to the building of a National Theatre in New Delhi ?

The Deputy Minister of Education (Dr. M. M. Das): A special Architect has recently been appointed for preparing the design of the National Theatre. Negotiations are under way to appoint a consultant. The construction work will start after the design has been prepared and approved.

Shri D. C. Sharma : This question was put during the last session and it is being put again during this session also. May I know the progress the Ministry has made during the period between the asking of this question during the last session and the asking of this question during this session and how far the blue-prints have advanced ?

Dr. M. M. Das : I have said that we have taken steps for the construction of the National Theatre. It is a building that will cost about a crore of rupees. So, we cannot go so swiftly as the hon. Member thinks we ought to.

Dr. Rama Rao : May I know why Government want to spend a crore of rupees on a theatre which would accommodate seven hundred persons or below one thousand instead of.....

Some Hon. Members : Not seven hundred but more.

Dr. Ram Subhag Singh : Not seven hundred but two thousand.

Dr. Rama Rao : You are not yet a Minister.

Mr. Deputy-Speaker : The hon. Member should ask a question and not try to argue with others.

Dr. Rama Rao : Is it a fact that, as stated in the press reports only about seven hundred or below one thousand will be accommodated in this theatre ?

Mr. Deputy-Speaker : What would be the number that would be accommodated there ? That should be the question.

Dr. M. M. Das : I would request the hon. Member not to rely too much on press reports. We ourselves do not yet know because the precise details are not yet in our hands.

सरदार अ० सि० सहगल : क्या मैं जान सकता हूं कि जो आर्चिटैक्ट मुकर्रर किये जा रहे हैं उनका नाम क्या है, जो कंसल्टैंट हैं उनका नाम क्या है, और उनकी क्वालिफिकेशंस क्या हैं और उनको क्या तनख्वाहें मिल रही हैं ?

Dr. M. M. Das : The Architect-in-Chief who has been appointed recently by the Ministry of Works, Housing and Supply is Mr. M. M. Rana, Senior Lecturer in Architecture in the Delhi Polytechnic; and the consultant is Nawab Zain Yar Jung. So far as the Architect-in-Chief is concerned he has been appointed on a scale of Rs. 1,300—1,600, besides the allowances that are admissible in the Ministry of Works, Housing and Supply for such post. The consultant Nawab Zain Yar Jung has intimated to us that his consultation fee will be three per cent of the total expenditure; that is if the total expenditure is about a crore of rupees it will be Rs. 3 lakhs.

Shri Veeraswamy : May I know whether such theatres will be constructed in the capitals of the States as well and if not, why ?

Dr. M. M. Das: At present there is no National Theatre at all. At least let us build one National Theatre in the capital of India. Then the suggestion of the Hon. Member will, be considered.

Shri V. P. Nayar : The Deputy Minister stated that he was not in a position to say how many people the National Theatre will accommodate. Do we take it from that that the only information about the Theatre, which the Minister has, is that an amount of Rs. 1 crore will have to be spent on that ?

Mr. Deputy-Speaker : What is the information that the hon. Member wants ?

What the hon. Member has put is no question at all. Is it a question that the Minister has got only so much information ?

डा० मा० भा० खरे : श्रीमान् क्या मैं जान सकता हूं कि यह जो सवाल जवाब हो रहा है यह सिर्फ नाटक ही है ?

Sardar A. S. Saigal : My question was not properly replied to. I wanted to know the qualifications of these architects.

Mr Deputy-Speaker : This is not the time to know all those things.

Corporation for Delhi

*596. **Shri D. C. Sharma:** Will the Minister of **Home Affairs** be pleased to state :

(a) whether any decision has been taken on the Corporation Plan for Delhi ; and

(b) if so what is its nature ?

The Minister in the Ministry of Home Affairs (Shri Datar) : (a) A decision has been taken to establish a Corporation for Delhi elected on the basis of adult suffrage and consisting of about 80 councillors. The details of the scheme are being worked out.

(b) The proposed Corporation will be constituted broadly on the pattern of the Bombay Municipal Corporation and will also form the electoral college for election to the Rajya Sabha from Delhi.

Shri D. C. Sharma : May I know when the elections to this new Corporation will take place and whether any delimitation of constituencies has been taken in hand ?

Shri Datar : The elections will take place after the Bill has been prepared, placed before Parliament and passed.

Shri Feroze Gandhi : When ?

Shri B. K. Das: What will be the territorial jurisdiction of the new Corporation ?

Shri Datar: The territorial jurisdiction will be the jurisdiction of the present Delhi State minus a considerable area from New Delhi.

Shri Sinhasan Singh : May I know whether the Bill will be coming up before this Parliament or the next Parliament ?

Shri Datar : It is likely to come up before the next Parliament.

श्री भक्त दर्शन : मैं जानना चाहता हूं कि जब तक दिल्ली के लिए यह कारपोरेशन स्थापित नहीं हो जाता है तब तक दिल्ली के शासन के लिए क्या व्यवस्था की गई है ?

श्री दातार : अभी व्यवस्था है तो दिल्ली म्युनिसपैल्टी है नई दिल्ली म्युनिसपैल्टी है।

Shri Veeraswamy : May I know whether reservations will be made in the Delhi Corporation for the Scheduled Castes and Scheduled Tribes residing in Delhi ?

Mr. Deputy-Speaker : That is too premature yet, I suppose.

Corruption Cases in M.E.S.

*597. **Shri Velayudhan :** Will the Minister of **Defence** be pleased to refer to the reply given to Starred Question No. 736 on the 13th August, 1955, and state whether any prosecution has been launched against the officers of the M.E.S. involved in the Cochin case ?

The Deputy Minister of Defence (Sardar Majithia) : Yes, against one officer. Besides, the Army officer involved was tried by a Court Martial.

Shri Velayudhan : May I know whether in the original prosecution more officers were involved but a charge was made out only against one officer? How many officers were originally charge-sheeted in this case ?

Sardar Majithia : The Special Police Establishment asked for permission to proceed against twelve officers, but after investigation, they recommended that only one officer, that is, Captain Nowley, who has been court-martialled, and Shri S. N. Andhare be proceeded against. The case against Shri Andhare is in the court of a Special Judge at Trivandrum.

Regarding the others, according to the Special Police Establishment, nothing is being done, because they have dropped the investigation themselves. I should, however, like to add that the others were transferred from Cochin straigthway, when the Special Police Establishment asked for it.

Shri Velayudhan : May I know whether, apart from the transfer of these officers against whom there were charges of corruption, Government had contemplated any other punishment ?

Sardar Majithia : Yes, departmental action will be taken against the other officers.

Shri Punnoose : May I know whether the Minister can give us a little more information and a clear indication with regard to the nature of the charges and also the amount that was involved ?

Sardar Majithia : I should like to have notice.

Shri M. R. Krishna : May I know whether, in order to avoid this type of things, the garrison engineers and other civilian employees of the M.E.S. would be brought under the India Army Orders for disciplinary purposes ?

Mr. Deputy-Speaker : That is a matter of broader policy.

Shri Velayudhan: May I know whether, when the investigations about this was going on, very high dignitaries, including *ex*-Ministers, were involved in this matter ?

Sardar Majithia : I have got no information about that. As I have said, these were the only 12 people against whom we thought there was a case, and we proceeded against them.

Bomb in Delhi

*598. **Dr. Ram Subhag Singh** : Will the Minister of **Home Affairs** be pleased to state:

(a) whether it is a fact that an incendiary bomb weighing over 5 lbs. was found on 5th October at the edge of a pit in a derelict grave-yard in Malkaganj, Delhi; and

(b) if so, whether any investigation has been made into the circumstances as to how that bomb was placed there ?

The Minister in the Ministry of Home Affairs (Shri Datar) : (a) and b). An old and incomplete bomb was discovered in a deserted grave-yard in Malkaganj near Subzimandi on 5th October, 1956. It was not an incendiary bomb nor was it capable of explosion. It is possible that it was removed from a Military Practice Range as junk metal and abandoned in the graveyard.

Dr. Ram Subhag Singh : May I know how many such bombs and other live bombs have been so far found in Delhi and other towns or villages in the neighbourhood such as Uttar Pradesh and Punjab during this year ?

Shri Datar : About the live bombs and explosions, information has already been given to Parliament. This is the first time that a bomb of this type meant usually for training exercises has been recovered.

Dr. Ram Subhag Singh : Have Government got any information to the effect that any organised group is trying to use bombs in this part of the country ?

Shri Datar : So far as the present investigations show, no.

श्री भक्त दर्शन : क्या गवर्नमेंट ने इस बात का पता लगाने की कोशिश की है कि यह जो बम मिला था, या इससे पहले जो बम फटे थे, या जो १७ नवम्बर को फटा, वह भारत का बना हुआ नहीं था बल्कि किसी विदेश का बना हुआ था ?

Shri Datar : No, Sir

Shri Joachim Alva: Do Government know that the failure of their police officers to nip this conspiracy in the bud has dealt a blow at the secular policy of the Government known for their tolerance toward all faiths ?

Mr. Deputy-Speaker : No information is sought. Next question.

Workshop for manufacture of Furniture

*599. **Shri C. R. Iyyunni** : Will the Minister of **Home Affairs** be pleased to state whether the Kerala Government has started any workshop to manufacture furniture, doors, windows, shutters and other wooden articles in view of the abundance of good timber available in the forest ?

The Minister in the Ministry of Home Affairs (Shri Datar): No, Sir.

I may also add for the information of the hon. Member that the State Government has started two production *cum*-training centres in carpentry and proposes to start two more for the manufacture of windows and furniture.

Shri C. R. Iyyunni : In view of the fact that there is an abundance of timber there and timber is being exported to out side places, do Government propose to start a mill of the type seen in Jammu and Kashmir ?

Shri Datar: It is the view of Government that the production of these articles should be undertaken in the private sector.

वायु-शक्ति

*६००. **श्री भक्त दर्शन** : क्या प्राकृतिक संसाधन और वैज्ञानिक गवेषणा मंत्री २८ जुलाई, १९५६ के तारांकित प्रश्न संख्या ४३८ के उत्तर के सम्बन्धमें यह बताने की कृपा करेंगे कि उत्तर प्रदेश के पर्वतीय क्षेत्रों में वायु-शक्ति के विकास और उपयोग करने की योजना को कार्यान्वित करने की दिशा में इस बीच क्या प्रगति हुई है ?

प्राकृतिक संसाधन मंत्री (श्री के० डी० मालवीय) : इस विषय पर अभी खोज की जा रही है ।

श्री भक्त दर्शन : क्या मैं जान सकता हूं कि वे क्या अड़चनें हैं जिनकी वजह से इस सम्बन्ध में देरी हो रही है ?

श्री के० डी० मालवीय : अड़चन कोई नहीं है । हमने यह काम तो पिछली पंच वर्षीय योजना में ही शुरू कर दिया था और हवा की गति जानने के लिये राजस्थान और सौराष्ट्र में काम शुरू भी हो गया था, लेकिन इस प्रयोग के लिये ज्यादा रुपये की जरूरत थी । इसलिये कौंसिल आफ साइंटिफिक एण्ड इंडस्ट्रियल रिसर्च ने दूसरी पंच वर्षीय योजना में बड़ा कार्यक्रम रखा । वह कार्यक्रम मंजुर हो गया है और उसके आधार पर हम अपना संगठन शुरू कर रहे हैं ताकि देश के दूसरे क्षेत्रों में जहां हवा की गति बहुत ज्यादा है, हम उस पर कुछ खोज बीन कर सकें और तब इस क्षेत्र के कार्य को बढ़ा सकें, यह समझ कर कि यहां विंड मिल खुल सकती है ।

श्री भक्त दर्शन : क्या इस बात को जानने की कोशिश की गई है कि उत्तर प्रदेश के पर्वतीय जिलों में जहां हवा बहुत तेज रफ्तार से चलती हैं वहां इस प्रयोग के शुरू करने का प्रयत्न किया जा सकता है या नहीं ।

श्री के० डी० मालवीय : जी हां, वहां के कुछ हाल का पता तो लगाया गया है, लेकिन जब तक वहां सर्वे केन्द्र खुल नहीं जायेगा और एक साल तक लग कर रात दिन उसकी गति आंकड़े रक्खे नहीं जायेंगे तब तक किसी नतीजे पर हमारे वैज्ञानिक नहीं आ सकते ।

श्री हेडा : इस योजना को सारे देश में फैलाने में एक अड़चन यह बताई जाती है कि साल भर हवा एक विशेष तीव्रता के साथ नहीं बहती है । क्या मैं जान सकता हूं कि साल भर में बजाय अगर ९ या १० महीने हवा में उतनी तीव्रता हो तो वहां पर क्या इस प्रकार की योजना नहीं शुरू की जा सकती ।

श्री के० डी० मालवीय : यह तो ऐसी बात है जिसको हमारे वैज्ञानिक जानते हैं कि अगर साल भर के बजाय ९ महीने में काम चल सकता है तो इसका यत्न जरूर किया जाये । लेकिन अगर कुएं से पानी उठाने के लिये विंड मिल लगाई जाती है और जिस वक्त पर पानी की जरूरत होती है उस वक्त हवा न रहे तो माननीय सदस्य मानेंगे कि उसको बनाने की जरूरत नहीं रहेगी । लेकिन इस प्रश्न पर जब तक हमारी खोज बीन खत्म न हो जाये तब तक मैं कोई राय नहीं दे सकता ।

श्री रा० स० तिवारी : अभी माननीय मंत्री जी ने बतलाया कि खोज की जा रही है । मैं जानना चाहता हूं कि इस सम्बन्ध में केवल उत्तर प्रदेश के पर्वतीय क्षेत्रों के लिये ही यह योजना तैयार की गई है या कुछ और क्षेत्रों को भी इस में लिया गया है ?

श्री के० डी० मालवीय : हर एक क्षेत्र के लिये है ।

श्रीमती कमलेंदुमति शाह : क्या मैं जान सकती हू कि क्या यह सत्य है कि उत्तर प्रदेश के पहाड़ी जिलों में यह प्रयोग इसलिये नहीं किया जा रहा है कि जो विशेषज्ञ हैं वहां पहुचने में आनाकानी कर रहे हैं ।

श्री के० डी० मालवीय : जी नहीं, कोई आनाकानी नहीं करेगा । जहां जहां उपयुक्त हालात होंगे वहां पर हम खोज का काम जरूर करेंगे ।

Translation of Classics

*603. **Shri R. P. Garg** : Will the Minister of **Education** be pleased to state the steps taken so far or proposed to be taken by the Sahitya Akadami in encouraging and sponsoring the translations of eminent foreign classics into the Indian Languages ?

The Deputy Minister of Education (Dr. M. M. Das) : The Sahitya Akadami

has undertaken the translation of 27 foreign Classics into various Indian languages for the present.

Shri R. P. Garg : May I know whether there are other private institutions which have undertaken the work of translating some world classics? If so, what is the extent of help the Government are giving to them?

Dr. M. M. Das : I have got no information about private organisations.

Shri R. P. Garg : What is the number of foreign classics which has been translated so far under the direction of the Sahitya Akadami?

Dr. M. M. Das : We have taken up this scheme only this year. I think up till now no foreign classics have been translated under this scheme into any Indian languages. But some of our Indian classics have been translated into other regional languages.

Shrimati Tarkeshwari Sinha: May I know whether the Sahitya Akadami will indulge in re-translation of the books which have already been translated, such as the works of Tolstoy and others, in view of the unsatisfactory nature of the translation of these books?

Dr. M. M. Das : There are 14 Indian languages. The books referred to by the hon. lady Member might have been translated into one or two or three or four or even five regional languages, but they might not have been translated into all the remaining regional languages.

Shri Velayudhan : May I know whether the Government will, before getting the classics translated into Indian languages inquire as to whether those classics have already been translated into Indian languages?

Dr. M. M. Das : All these things have been taken into consideration. We have got a special committee which has selected these books. We have got advisory committees regarding all the regional languages. All these experts are there; they are literary men, good and reputed writers of this country. They are consulted about these matters.

श्री म० ला० द्विवेदी : यह जो अनुवादक बनाये जाते हैं उनके बारे में मैं जानना चाहता हूं कि उनकी नियुक्ति का निर्णय कौन करता है, और जब वह चुन लिये जाते हैं और अनुवाद तैयार हो जाते हैं तो इस बात की जांच करने की क्या व्यवस्था की गई है कि वह अनुवाद ठीक हैं या नहीं ?

Dr. M. M. Das : Selections are made by the Sahitya Akadami. After translation, they are examined by competent authorities in the particular regional language in which the translation is made.

बकाया आयकर

*६०४. **श्री खू० चं० लोढिया** : क्या वित्त मंत्री १७ अगस्त, १९५६ के तारांकित प्रश्न संख्या ११८७ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) जब १९५१-५२ से १९५४-५५ तक का कुल बकाया आयकर केवल ७४.३२ करोड़ रुपया होता है तब कुल बकाया १८२.८५ करोड़ रुपया आयकर में से शेष बकाया आयकर १०८.५३ करोड़ रुपया किन वर्षों से सम्बन्धित है ;

(ख) इतनी बड़ी राशि को बकाया छोड़ने के क्या कारण हैं ; और

(ग) क्या सरकार ने इस मामले की जांच के लिये कोई कार्यवाही की है और यदि हां, तो क्या ?

राजस्व और असैनिक व्यय मंत्री (श्री म० ल० शाह) : (क) और (ख) सदन की मेज पर एक विवरण रख दिया गया है। [देखिये परिशिष्ट ३, अनुबन्ध संख्या २५]

(ग) केन्द्रीय राजस्व बोर्ड पहले ही आवश्यक कार्यवाहियां कर चुका है। इन कार्यवाहियों का ब्योरा सदन की मेज पर रखे गये विवरण में दिया गया है। [देखिये परिशिष्ट ३, अनुबन्ध संख्या २५

श्री खू० चं० लोढिया : स्टेटमेंट में यह लिखा हुआ है कि ११ करोड़ रुपया उन लोगों से वसूल करना बाकी है जो भारत छोड़ कर चले गये हैं। मैं जानना चाहता हूं कि जाने से पेश्तर इनकम टैक्स आथोरिटीज कोई सार्टिफिकेट नहीं लेती और क्या इसके बारे में कोई प्राविजन कानून में नहीं है ?

Shri M. C. Shah: The provision has been made after those people had left for Pakistan.

सरदार अ० सि० सहगल : क्या यह सच है कि लोग ट्रस्ट बना कर इनकम टैक्स बचा रहे हैं और क्या इसकी इत्तिला गवर्नमेंट के पास आई है ? अगर आई है तो इसके बारे में क्या कार्यवाही की जा रही है ?

उपाध्यक्ष महोदय : यह तो इनकम टैक्स एरियर्स के बारे में है । जिन्होंने बचा लिया है इस ढंग से उनकी निस्बत नहीं है ।

सरदार अ० सि० सहगल : यहां पर भी ट्रस्ट बना कर इनकम टैक्स बचाया जाता है ।

Shrimati Tarkeshwari Sinha: May I know the total amount of arrears for which the time-limit has been extended by the Ministry this year?

Shri M. C. Shah: No time-limit has been extended. All proceedings which are necessary to be taken to recover all these arrears have been taken and the hon. lady Member may look to section 46 of the Indian Income-tax Act and the civil law to know all the ways in which these recoveries are to be made.

Dr. Ram Subhag Singh: May I know whether Government have any definite information that the persons who have migrated are not having any property left in India and whether those persons or any of their relatives have visited India after their migration or not?

Shri M. C. Shah: When the people migratied to Pakistan, if they had any property, that property had already been attached. But they are in the possession of the Custodians as evacuee property. We have already enquired into the fact whether any other movable or immovable properties had been left by them and we have not been able to trace any other. It may be that some persons owing income-tax may have visited this country but we have not got that information.

श्री खू० चं० सोखिया : २३ करोड़ ९० लाख रुपये की रकम जो इरिकवरेबल रखी गई है वह किन सर्कमस्टांसिस की वजह से इरिकवरेबल खयाल की गई है ?

Shri M. C. Shah: Because those persons who owed that sum of Rs. 23,90 lakhs have not got any property whatsoever, movable or immovable—practically they are insolvents-and they are rather propertyless people and nothing can be recovered from them. But, yet, we have not written off those amounts and we are waiting, if these people get some money, to pounce upon that money.

Training of Overseers and Artisans

***605. Shri M. R. Krishna:** Will the Minister of **Education** be pleased to state:

(a) whether it is a fact that Government has sponsored a short term technical training scheme specially to train sufficient number of overseers and other artisans; and

(b) if so, location of these Training Centres and the cost involved therein?

The Deputy Minister of Education (Dr. M. M. Das): (a) and (b). A statemen giving the required information is laid on the Table of the House. [*See* Appendix III, annexure No. 26].

Shri M. R. Krishna: May I know whether it is a fact that during the First Five Year Plan, huge amounts have been advanced to the State Governments to train of overseers and artisans?

Dr. M. M. Das: We are expanding technical education to the best of our capacity.

Shri M. R. Krishna: May I know whether there was any specific request from the Labour Ministry or from the State Public Works Departments to the Education Ministry to go into these courses and to suggest to them the way in which this period could be curtailed?

Dr. M. M. Das: Yes. In 1955 the Community Projects Administration informed this Ministry that the State Governments were experiencing difficulty in recruiting suitable trained overseers for most of the Community Projects and N. E. S. Blocks. According to their request the All-India Council for Technical Education prepared a short-term course for overseers. They reduced the period from 3 years to 18 months-half the period. The scheme was sent to the different State Governments and they were requested to introduce this scheme in some of their selected institutions. But, afterwards, due to normal expansion of technical education in this country, the number of overseers that came out from their colleges were sufficient to meet the demand. So, it was decided afterwards that this short course was not necessary at all.

Shri K. P. Tripathi: May I know what is the total shortage and what will be the position at the end of the Second Five Year Plan?

Dr. M. M. Das: Up to the end of December 1954, 752 overseers were required for the 643 N.E.S. Blocks allotted to the various States. The number actually on that date was only 639 and so the shortage was about 113 overseers. But, this was afterwards made up by the students who passed.

Shri T. B. Vittal Rao: May I know what steps are being taken to ensure that the funds allotted for technical education are utilised so that we may not have the experience of the first Plan period when huge amounts lapsed unutilised?

Dr. M. M. Das: We are taking every possible step to expand our technical institutions and for setting up new technical institutions in this country. But, our main difficulty has been the scarcity of teachers. Technical education in this country is expanding at such a rate that the available teachers are not sufficient at all. That difficulty is experienced not by the Centre alone but even by the State Governments.

Shri M. R. Krishna: May I know whether this recommendation has not been accepted by the Regional Employment Exchanges and the Public Works Department which are still training these overseers and artisans?

Dr. M. M. Das: No, Sir. These two departments mentioned by the hon. Member have nothing to do with technical education. We adopted a scheme of reducing the training period to half and sent the scheme to all the State Governments and requested them to introduce it in some of their selected institutions. Afterwards, we found that it was not necessary and we told them so.

Shri S. C. Samanta: The hon. Minister said that we are becoming self-sufficient in overseers. May I know whether those who received this short training in the meantime will be given a chance to have fuller training?

Dr. M. M. Das: There is only one institution in Indore which adopted this scheme and admitted some students. We have asked them to give these students the normal course of three years.

Shri Punnoose: Are Government aware that there are a large number of people prepared to undergo this training in Kerala and may I know whether Government have received any representations from that State for opening the courses there?

Dr. M. M. Das: Every part of the country has been taken into consideration.

Foreign Loans

*608. **Shrimati Tarkeshwari Sinha:** Will the Minister of **Finance** be pleased to state:

(a) whether the officer of the Finance Ministry, who was adeputed to sound European countries for loans to augment India's foreign resources, has submitted any report to Government;

(b) if so, whether Government will lay the report on the Table; and

(c) which are the countries who have expressed their willingness to advance loan to India and on what terms?

The Minister of Finance and Iron and Steel (Shri T. T. Krishnamachari): (a) It is true a senior Officer of the Finance Ministry was deputed to study the conditions in the European capital markets and naturally he has apprised Government of the results of his study.

(b) and (c). The contents of the report are confidential and it would not be in the public interest to disclose them.

Shrimati Tarkeshwari Sinha: May I know whether we are entitled to know whether the tour was satisfactory, and how many countries he visited and whether he had any encouraging hopes as to the outcome of these various visits and whether there is any possibility of getting some loans from those countries?

Shri T. T. Krishnamachari: Will the hon. lady Member repeat the question and put a shorter question as it is too long for me to comprehend?

Shrimati Tarkeshwari Sinha: May I know, if the Government is not prepared to divulge information about the visit of the officer of the Finance Ministry, how the public is to calculate the set-up of the loans available in the future from the European market to the Government?

Shri T. T. Krishnamachari: I have said that it was a study of the European markets *vis-a-vis* our own interest in them and the disclosure of the result of the officers visit would not be in public interests. In any event, I am not in a position to make any statement with regard to the condition of the European capital markets.

Shri Kasliwal: In view of the fact that there is a good deal of goodwill for our country and for our Five Yar Plaen in the European countries, may I know whether Government can give us any idea as the amount of loan that would be available from these countries?

Shri T. T. Krishnamachari: It is exactly repeating the question in another way. There may be plenty of goodwill but money may not be available. There may be no goodwill but still money may be forthcoming if they find it interesting for them to invest money. Goodwill and money have really no tie-up at all. I am sure hon. Members have got such a lot of goodwill for me and if I come and ask them with a begging bowl, perbably it will come back empty.

Shri K. P. Tripathi: May I know what are the countries which this Goodwill Mission visited, apart from the United Kingdom, and whether any attempt was made to find out the possibility of procuring some money?

Shri T. T. Krishnamachari: Six countries were visited including the United Kingdom, Holland, Belgium, Germany, Switzerland and France.

Shrimati Tarkeshwari Sinha: In view of the fact that the private sector is very keen on getting loans from foreign countries, may I know whether Government invited and consulted some representatives of the private sector so that they may have some idea for investigating the European markets?

Shri T. T. Krishnamachari: We certainly need some finance, but the question of getting foreign finance is not by expressing the feeling that we cannot do without it. After all, these things are very delicate matters. If you go into a market, you have got to go and probe it first to find out what the market is like. You probably float a sample loan and see the reactions and perhaps if you are successful in floating some loans in one country, it might have its effect in other countries. These are matters which cannot obviously be discussed at any great length. It is really a matter of technique, and at the present moment we have no intention of floating any loans excepting perhaps in the manner in which we have done for financing the steel plant in Durgapur.

Shri Joachim Alva: Did Government survey the position locally here at diplomatic level in view of the large number of economically influential missions situated here instead of sending our officers with a begging bowl abroad?

Shri T. T. Krishnamachari: I must repudiate the insinuation that we did send anybody with a begging bowl. The officer went there to study and I think it is very necessary that the Finance Ministry here should know the nature of capital markets in the rest of the world The officer has not gone with a begging bowl for asking the people there, but just to find out what the market is like. I think it is derogatory on our part to go and ask the missions in Delhi to see if we could get any assistance by way of loans.

Central Audio-visual Education Institute

*609. **Shri Shivananjappa:** Will the Minister of **Education** be pleased to state:

(a) whether it is a fact that the Government of India have decided to establish a Central Audio-visual Education Institute;

(b) if so, the estimated cost thereof;

(c) the place where this Institute will be established; and

(d) whether the American Technical Co-operation Administration has agreed to extend financial assistance for the purpose?

The Deputy Minister of Education (Dr. K. L. Shrimali): (a) Yes Sir.

(b) Rs. 75 lakhs during the Second Five Year Plan.

(c) New Delhi.

(d) Yes, Sir.

Shri Shivananjappa: May I know what are the specific objectives of the Institute and whether the production of educational films will also be undertaken by the Institute?

Dr. K. L. Shrimali: The Institute will have these functions: It will provide training facilities in the field of audio-visual education and will conduct research for the effectiveness of the various audio-visual aids,It will produce charts, booklets, teachers' bulletins, flannelgraph, exhibits and other audio-visual educational material for use in secondary schools, primary schools and social education centres. It will also produce model teaching and instructional films and film strips for use in an experimental way for secondary school and other educational programmes. The Institute would also provide facilities for training personnel, and if necessary, production of audio-visual material that may be needed by other Ministries of the Government of India. It would also provide similar training in production centres to be set up later by State Education Departments.

Shri Shivananjappa: What is the financial contribution forthcoming from the T.C.M.?

Dr. K. L. Shrimali: The details are still to be worked out, but the T.C.M. has agreed to give financial assistance to provide equipment for the Institute and also some

material, to instal the equipment, to help in setting up the training courses and to provide a few audio-visual specialists to impart the knowledge and skill to Indian trainees and train Indian counterparts of these specialists.

Shri Shree Narayan Das: May I know whether any place other than Delhi was considered for the location of the Institute and what are the special reasons for all the Institutes being located in New Delhi?

Dr. K. L. Shrimali: The advantage is that the Ministry of Education will have direct administrative overall control of the Institute and it is therefore desirable to have this Institute in New Delhi.

Shri T. S. A. Chettiar: May I know whether it is going to be an independent Institute or it is going to be attached to the Central Institute of Education?

Dr. K. L. Shrimali: As I said, the administrative control will be that of the Centre.

Shrimati Khongmen: May I know the number of people contemplated for training in this Institute in the Second Five Year Plan?

Dr. K. L. Shrimali: All these deatils are still to be worked out.

French Oil Experts

\+

*611. **Shri Shree Narayan Das:**
Shri S. C. Samanta:
Dr. Ram Subhag Singh:

Will the Minister of **Natural Resources and Scientific Research** be pleased to state:

(a) whether it is a fact that the French Oil experts have been invited to carry out certain preliminary investigations in regard to prospecting of oil in the semi-desert areas of Rajasthan;

(b) if so, the number of experts invited; and

(c) the terms and conditions on which they have agreed to come?

The Minister of Natural Resources (Shri K. D. Malaviya): (a) No, Sir. Not yet.

(b) and (c). Do not arise.

Shri Shree Narayan Das: May I know whether any negotiations are being carried on with regard to this?

Shri K. D. Malaviya: Yes, Sir. The Natural Gas Commission of the Ministry is considering a proposal of the French contractors to come and do some work in the Jaisalmer area.

Shri Shree Narayan Das: May I know whether these negotiations are carried on government to government level or with some private agents?

Shri K. D. Malaviya: The Natural Gas Commission has power to negotiate contracts either through Government or directly by negotiations with the parties.

Shrimati Tarkeshwari Sinha: May I know whether any preliminary investigation has been done by Government in those areas or may I know whether the French experts have also to do this and then explore oil in those areas?

Shri K. D. Malaviya: A lot of exploration has been done and is still going on. It is only after the results that we have obtained by our own men that we now intend to call some contractors to do some further work.

Shri Kasliwal: Previously the hon. Minister informed us that so far as aeromagnetic survey in this area was concerned that was done by Canadian experts, and subsequently we were told that it would be some Russian experts who would start drilling operations, etc. May I know where the position stands today?

Shri K. D. Malaviya: I never said that Russian experts were going to be appointed to drill there. The aeromagnetic survey was conducted by a Canadian party under the Colombo Plan, but at the same time we were also carrying on our exploration work through our own men. Now the idea is to see whether some drilling party could be brought which has the experience of some desert work.

Shrimati Kamlendu Mati Shah: May I know if any hill region has been explored and, if so, with what results?

Mr. Deputy-Speaker: Will the hon. lady Member kindly repeat her question?

श्रीमती कमलेन्दुमति शाह : क्या पहाड़ी क्षेत्रों में तेल के वास्ते कोई खोज की गई है और अगर की गई है तो उसके सम्बन्ध में क्या रिपोर्ट मिली है ?

श्री के० डी० मालवीय : हमारे जिओलाजिकल विशेषज्ञ ही चुना करते हैं कि किस जगहों पर तेल मिल सकता है और जब उनको मालूम हो जाता है कि किसी जगह पर तेल मिलने की सम्भावना है, तभी वहां पर काम शुरू किया जाता है ।

Dr. Jaisoorya: I would like to know in what part of the world the French experts had experience of oil production?

Shri K. D. Malaviya: The party with which we are negotiating for oil had experience of the Sahara Desert, and some very substantial work has been to their credit.

Shri Dhusiya: May I know whether there would be some Indian personnel associated with these French experts?

Shri K. D. Malaviya: We shall take all that into consideration.

Junior Commissioned Officers

*613. **Dr. N. B. Khare:** Will the Minister of **Defence** be pleased to state:

(a) whether it is a fact that provisions were made by rules for effecting forfeiture of total service towards pension of certain Junior Commissioned Officers without subjecting them to trial by a Court Martial;

(b) if so, the provision of the Act under which such power is exercised; and

(c) the annual number of such forfeitures during the World War 1939-46 and in the Post War period?

The Deputy Minister of Defence (Sardar Majithia): (a) The position under the Military Pension Rules is that a JCO, who is dismissed from service by the Chief of the Army Staff under the Army Act (1950), forfeits all claim to pension or gratuity in respect of all previous service. A JCO, who confesses to the offence of desertion or fraudulent enrolment, forfeits the whole of his prior service torwards pension or gratuity; but he is eligible to reckon the forfeited service towards pension or gratuity, on completion of five years' further service with exemplary conduct.

(b) This part of the question does not arise, as military pensions are not governed by statutory rules.

(c) The information is not available, and its collection will involve labour out of proportion to the value to be derived from it.

WRITTEN ANSWERS TO QUESTIONS

Regional Coal Survey Station

*588. **Shri Bhagwat Jha Azad:** Will the Minister of **Natural Resources and Scientific Research** be pleased to state:

(a) whether the plan for the establishment of regional Coal Survey Station at Hyderabad has been finalised; and

(b) if so, by what time it is expected to start functioning?

The Minister of Natural Resources (Shri K. D. Malaviya): (a) and (b). The Scheme has been finalised and the Coal Survey Station is already functioning in the premises of the Regional Research Laboratories, Hyderabad.

Rockfeller Foundation Grants

*601. **Shri Bibhuti Mishra:** Will the Minister of **Education** be pleased to state:

(a) whether it is a fact that Rockfeller Foundation (America) has announced grants to some Indian Schools in the field of linguistic studies; and

(b) if so, the special features of the grants?

The Deputy Minister of Education (Dr. M. M. Das): (a) and (b). A statement is laid on the Table of the Lok Sabha. [*See* Appendix III, annexure No. 27].

Council for Basic and Elementary Education

*602. **Shri Bheekha Bhai:**
Shri Ram Krishan:

Will the Minister of **Education** be pleased to refer to the reply given to Unstarred Question No. 242 on the 28th July, 1956 and state:

(a) whether the proposed Council for Basic and Elementary Education has since been constituted;

(b) if the answer to part (a) be in the affirmative, its terms of reference; and

(c) the names of the members thereof?

The Deputy Minister of Education (Dr. M. M. Das): (a) No. Sir.

(b) and (c). Do not arise.

Education Improvement Programme Schemes of Bihar

*606. **Thakur Jugal Kishore Sinha:**
Shri Asthana:
Babu Ramnarayan Singh:

Will the Minister of **Education** be pleased to state the amount of financial assistance given to the State of Bihar during the First Five Year Plan period for their Education Improvement Programme?

The Deputy Minister of Education (Dr. M. M. Das):

	(Rs. in lakhs)
Grants:	131.33
Loans:	1.78
Total:	133.11

Kannada as the medium language in Kasargod, Kerala

*607. **Shri B. Shiva Rao:** Will the Minister of **Home Affairs** be pleased to state:

(a) whether representations have been received from the residents of Kumbla and the adjoining villages of Kasargod taluk for the retention of Kannada as the medium in schools, law courts and sub-registrar's offices in that part of Kasargod taluk which lies north of the Chandragiri river and for the opening of a sub-court in Kasargod taluk for administravive purposes; and

(b) if so, the action taken thereon?

The Minister in the Ministry of Home Affairs (Shri Datar): (a) Yes.

(b) The Government has already issued a Memorandum on the subject of Safeguards for Linguistic Minorities which was laid before Parliament, and the State Governments have been asked to implement the decisions embodied therein. The Kerala Government is expected to deal with the representations referred to by the member in the light of these decisions, and the matter is already under its consideration.

History of Freedom Movement of Punjab

*610. **Sardar Iqbal Singh**
Sardar Akarpuri :

Will the Minister of **Education** be pleased to state:

(a) the progress so far made in the collection of materials for the History of the Freedom Movement regarding the Punjab State; and

(b) the amount so far spent for that purpose?

The Deputy Minister of Education (Dr. K. L. Shrimali): (a) The National Archives of India (History of Freedom Movement Branch) has so far collected 135 items covering over 8057 pages relating to Punjab's contribution to the Freedom Movement.

(b) The Centre's expenditure on the collection of materials has been Rs. 4,19,659/- so far, but it is not possible to split up this amount state-wise.

UNESCO Kalinga Prize

*612. **Shri Gadilingana Gowd:** Will the Minister of **Education** be pleased to state:

(a) whether it is a fact that an Indian has sponsored the Kalinga prize to be given annually by UNESCO;

(b) if so, the original aim of the prize

(c) who is the sponsor;

(d) what is the cost of the prize; and

(e) to whom it has been given hereto?

The Deputy Minister of Education (Dr. M. M. Das): (a) to (e). A Statement is laid on the Table of the House. [*See* Appendix III, annexure No. 28].

Preservation of Plantain Fruits

*614. **Shri V. P. Nayar:** Will the Minister of **Natural Resources and Scientific Research** be pleased to state:

(a) whether any research has been or is being undertaken to preserve plantain fruits and especially the bananas; and

(b) whether it is a fact that owing to the presence of some enzymes in these fruits, they cannot be preserved, under known methods, without detriment to their natural taste?

The Minister of Natural Resources (Shri K. D. Malaviya): (a) Researches on preservation of plantains and bananas have been taken up at the Central Food Technological Research Institute, Mysore

(b) Plantains and bananas have storage life of some weeks at low temperatures. The life is further extended if gas-*cum*-cold storage can be used. Even at ordinary temperatures, the life can be extended by 50% by a fungicidal-wax coating. By such treatment, the natural taste of the fruit is not appreciably affected.

Part-time Teachers in Kerala

*625. **Shri Matthen:** Will the Minister of **Education** be pleased to refer to the reply given to Starred Question No. 1465 on 27th August, 1956 and state:

(a) whether the Kerala Government have been able to take suitable action in the matter of grievances of part-time teachers;

(b) if so, the revised pay-scale of these teachers; and

(c) if not, the reasons for the delay?

The Deputy Minister of Education (Dr. M. M. Das): (a) Government of Kerala are examining the grievances of the part-time teachers.

(b) The matter is under consideration.

(c) The delay is reported on account of the fact that the State Government have to take into consideration various factors before arriving at a decision.

Anti-Corruption Department of ex-Travancore-Cochin State

*616. **Shri A. M. Thomas:** Will the Minister of **Home Affairs** be pleased to state:

(a) whether the Anti-Corruption Department of the erstwhile Travancore-Cochin Government has been able to detect any cases of Corruption in the year, 1956;

(b) if so, how many officers are involved in the cases detected;

(c) what steps have been taken against those officers; and

(d) the punishments if any, meted out those found guilty?

The Minister in the Ministry of Home Affairs (Shri Datar): (a) Yes.

(b) 17 officers.

(c) In the case of three officers a High Court Judge has been appointed to conduct an enquiry and the remaining cases are under varying stages of investigation.

(d) Pending completion of the enquiries, no punishment has been meted out to any officer.

Foreign Exchange

*617. **Dr. J. N. Parekh:** Will the Minister of **Finance** be pleased to state:

(a) to what extent the impact of the recent West Asian crisis has affected the foreign exchange position of India;

(b) the steps that are proposed to meet the situation; and

(c) the effect on the value of sterling and its link with the rupee?

The Minister of Finance and Iron and Steel (Shri T. T. Krishnamachari): (a) It is not possible as yet to assess the specific nature of the impact of the West Asian crisis on India's foreign exchange position;

(b) the situation needs to be watched before any decisions can be taken or announced;

(c) sterling has fluctuated within the permissible limits and its link with the rupee remains unchanged.

Expert Committee on Tobacco

*618. **Shri Krishnacharya Joshi:** Will the Minister of **Finance** be pleased to state:

(a) whether the expert Committee appointed to enquire into the working of the existing criterion of assessment of excise duty on unmanufactured Tobacco has submitted its Report; and

(b) if so, what are the main recommendations of the Committee?

The Minister of Finance and Iron and Steel (Shri T. T. Krishnamachari): (a) No, not yet.

(b) Does not arise.

Bhilai Steel Plant

*619. **Shri Bhagwat Jha Azad:**
Dr. Ram Subhag Singh:

Will the Minister of **Iron and Steel** be pleased to state:

(a) how many Indian engineers have been sent to Soviet Russia so far for training in connection with the Bhilai Steel Plant; and

(b) what would be their period of training?

The Minister of Finance and Iron and Steel (Shri T. T. Krishnamachari) (a) 80 engineers;

(b) Six months, which may be extended by mutual agreement.

Indian Taxation Reforms

*620. **Shri D. C. Sharma:**
Shri M. S. Gurupadaswami:
Sardar Iqbal Singh:
Sardar Akarpuri:
Th. Jugal Kishore Sinha:
Shri Veeraswamy:

Will the Minister of **Finance** be pleased to refer to the reply given to Starred Question No. 1749 on the 4th September, 1956, and state:

(a) whether Government have since considered Professor Kaldor's Report on Indian Taxation Reforms;

(b) whether Government have accepted his suggestions; and

(c) if so, the steps being taken to implement them?

The Minister of Finance and Iron and Steel (Shri T. T. Krishnamachari): (a) to (c). Government in their search for additional resources have to examine every avenue that is expected to produce results. From this point of view the Taxation Enquiry Commission's proposals and the Kaldor report are under continual examination; these taxation matters are best dealt with in connection with the budget proposals.

नियंत्रक महालेखा-परीक्षक

*६२१. **श्री खू० चं० सोधिया** : क्या वित्त मंत्री ६ अगस्त, १९५५ के तारांकित प्रश्न संख्या ५८२ के भाग (क) और (ख) के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) संविधान के अनुच्छेद १४९ के अधीन नियंत्रक महालेखा-परीक्षक के कर्त्तव्यों और शक्तियों का विनियमन करने के मामले में अब तक कितनी प्रगति हुई है ; और

(ख) इस सम्बन्ध में विधेयक प्रस्तुत करने में कितना समय लगने की संभावना है ?

वित्त तथा लोहा और इस्पात मंत्री (श्री ति० त० कृष्णमाचारी) : (क) और (ख). इस मामले पर नियंत्रक महालेखा परीक्षक (कण्ट्रोलर एण्ड आडिटर जनरल) के परामर्श से विचार किया जा रहा है और यह नहीं बताया जा सकता कि इस सम्बन्ध में बिल कब पेश किया जायेगा। इस समय स्थिति का नियमन संविधान के अनुच्छेद १४९ के अनुसार किया जा रहा है जैसी कि भारत सरकार (लेखापरीक्षा और लेखापालन) आदेश १९३६ (आडिट एण्ड एकाउण्ट्स आर्डर १९३६) में जिस रूप में कि वह भारत (अस्थायी संविधान) आदेश, १९४७, (प्राविजनल कांस्टीट्युशन आर्डर १९४७) में सम्मिलित किया गया है, व्यवस्था की गई है ।

School Liaison Scheme

*६२२. **Shri S. C. Samanta:**
Dr. Ram Subhag Singh:
Shri Shree Narayan Das:

Will the Minister of **Defence** be pleased to state:

(a) whether it is a fact that Naval Headquarters will arrange talks by Naval Officers in schools;

(b) if so, whether the country has been divided into zones for the purpose;

(c) if so, the names and jurisdictions of nes ; and

whether the Universities or Schools in zones have been contacted individually ?

The Deputy Minister of Defence (Sardar Majithia): (a) to (d). A statement is placed on the Table of the House. [*See* Appendix III, annexure No. 29].

Scheduled Areas and Development Plans

*623. **Shri Bheekha Bhai:** Will the Minister of **Home Affairs** be pleased to state:

(a) whether his Ministry have asked other Ministries that in execution of their development plans priorities should be given to Scheduled areas; and

(b) if so, the result thereof?

The Minister in the Ministry of Home Affairs (Shri Datar): (a) Yes, Sir.

(b) The Ministries concerned are taking necessary steps to ensure that the Scheduled areas also get their due share of the general plan.

Bharat Electronics Ltd.

*624. **Shri Shivananjappa** : Will the Minister of **Defence** be pleased to state:

(a) whether it is a fact that proposals are under consideration for the production of Quartz crystals and X-ray equipment by the Bharat Electronics Ltd;

(b) if so, the estimated annual output of these equipments; and

(c) whether the 400 W.H.F. transmitters are also being produced there?

The Deputy Minister of Defence (Sardar Majithia) : (a) Yes.

(b) It is estimated that quartz crystals worth approximately Rs. 5—10 lakhs (depending on the type of crystal) will be produced annually.

A scheme to manufacture X-Ray equipment worth about Rs. 50 lakhs annually is under consideration. If this scheme is approved X-Ray equipment worth approximately Rs. 50 lakhs per year will be produced by BEL.

(c) Yes.

Indian Reserve and Territorial Forces

*625. **Dr. N. B. Khare:** Will the Minister of **Defence** be pleased to state:

(a) whether it is a fact that provisions were made by rules for disreckoning embodied service towards pension in the Indian Reserve and Territorial Forces; and

(b) if so, the provisions of the particular Act under which the disreckoning rules have been made ?

The Deputy Minister of Defence (Sardar Majithia): (a) A statement is laid on the table of the Lok Sabha. [*See* Appendix III, annexure No. 30].

(b) This part of the question does not arise, as military pensions are not governed by statutory rules.

Fire Prevention Week

*626. **Shri Bibhuti Mishra:** Will the Minister of **Home Affairs** be pleased to state:

(a) whether it is a fact that the Government of India have recently directed various States to observe Fire Prevention Week; and

(b) if so, whether Government have given any directions in educating the people regarding fire fighting ?

The Minister in the Ministry of Home Affairs (Shri Datar): (a) Yes.

(b) Yes, the State Governments were advised to educate the public in fire prevention through various publicity media.

Technical Education in Travancore University

*628. **Shri A. M. Thomas:** Will the Minister of **Education** be pleased to state:

(a) whether any amount has been sanctioned to the Travancore University for the development of Technical Education during 1956-57 so far;

(b) if so, what is the amount;

(c) whether any amount has since been drawn by the University;

(d) if so, how much;

(e) how much has been spent; and

(f) if the entire allotment has not been spent, the reasons therefor ?

The Deputy Minister of Education (Dr. M. M. Das): (a) No. Sir.

(b) to (f). Do not arise.

Armed Forces Personnel

*629. **Sardar Iqbal Singh:**
Sardar Akarpuri:

Will the Minister of **Defence** be pleased to state:

(a) the total number of Armed Forces personnel sent aborad for training during 1956 so far; and

(b) the names of the countries where they were sent ?

The Deputy Minister of Defence (Sardar Majithia): (a) 177.

(b) Australia, Canada, France, Sweden U.K. and U.S.A.

अखिल भारतीय उच्चतर माध्यमिक परीक्षा

*६३०. **श्री छू० चं० सोबिया :** क्या शिक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि माध्यमिक शिक्षा के स्तर को ऊंचा करने और परीक्षाओं की प्रणाली में सुधार करने के अभिप्राय से सरकार ने एक अखिल भारतीय उच्चतर माध्यमिक परीक्षा का संचालन करने का निश्चय किया है ;

(ख) यदि हां, तो इस केन्द्रीय परीक्षा में चालू परीक्षाओं की अपेक्षा किन-किन विशेष बातों में सुधार करने का विचार है ;

(ग) इस परीक्षा में सम्मिलित होने के लिये देश के उच्चतर माध्यमिक स्कूलों को मान्यता किन-किन आधारों पर दी जायेगी ; और

(घ) यह नवीन परीक्षा कब से आरम्भ होने की आशा है ?

शिक्षा उपमंत्री (डा० म० मो० दास) : (क) इस उद्देश्य के लिये सरकार ने अजमेर के माध्यमिक शिक्षा के केन्द्रीय बोर्ड को पुनः संगठित करने का निश्चय किया है ।

(ख) से (घ). पुनः संगठित बोर्ड द्वारा इन पर विचार किया जायेगा ।

Central Model School for the Blind

*631. **Sardar Iqbal Singh:**
Sardar Akarpuri:

Will the Minister of **Education** be pleased to refer to the reply given to Starred Question No. 1415 on the 21st April, 1956 and state:

(a) whether the proposal for a Central Model School for the Blind has been finalised;

(b) if so, the amount of expenditure to be incurred on construction of the building; and

(c) the recurring annual expenditure on its staff ?

The Deputy Minister of Education (Dr. M. M. Das): (a) No, Sir.

(b) and (c). Do not arise.

Geologists Working in Punjab

437. Shri Ram Krishan : Will the Minister of **Natural Resources and Scientific Research** be pleased to state :

(a) how many geologists or teams of Geologists of the Union Government are at present working in Punjab ;

(b) the subjects of their investigation ; and

(c) the area surveyed by them ?

The Minister of Natural Resources (Shri K. D. Malaviya): (a) 25 officers of the Geological Survey of India have been assigned to in Punjab during 1956-57. The Oil and Natural Gas Commission proposes to give practical training to about 50 geologists under the supervision of 6 to 8 senior Geological officers.

(b) A statement giving the particulars of investigations proposed to be carried out is laid on the Table of the House. [*See* Appendix III, annexure No. 31].

(c) the information will become available at the end of the winter season.

Higher Secondary Schools

438. Shri Ram Krishan : Will the Minister of **Education** be pleased ted to refer to the reply given to the Unstarred Question No. 180 on the 26th July, 1956 and state :

(a) whether the information regarding the establishment of Higher Secondary Schools in States has since been colleted ; and

(b) if so, the details thereof ?

The Deputy Minister of Education (Dr. K. L. Shrimali) (a) Yes, Sir.

(b) A statement is laid on the Table of the Lok Sabha. [*See* Appendix III, annexure No. 32].

Multi-purpose Schools

439. Shri Ram Krishan : Will the Minister of **Education** be pleased to refer to the reply to Unstarred Question No. 243 on the 28th July, 1956, and state :

(a) whether the required information about the opening of Multi-purpose Schools has since been collected ; and

(b) if so, the details thereof ?

The Deputy Minister of Education (Dr. M. M. Das) : (a) Yes, Sir.

(b) A statement is enclosed. [*See* Appendix III, annexure No. 33].

Educational and Literary Organisations

440. Shri Ram Krishan : Will the Minister of **Education** be pleased to refer to the reply given to Unstarred Question No. 809 on the 22nd August, 1956 and state :

(a) whether the required information regarding grants paid to the All India Organisations (Educational and Literary) during 1954-55 and 1955-56 has been collected ; and

(b) if so, the details thereof ?

The Deputy Minister of Education (Dr. K. L. Shrimali) : (a) Yes Sir.

(b) A statement is laid on the Table of the Lok Sabha [*See* Appendix III, annexure No. 34].

I. A. S. Emergency Recruitment and Scheduled Castes Tribes

441. Shri Bheekha Bhai : Will the Minister of **Home Affairs** be pleased to refer to the reply given to Starred Question No. 102 on the 18th July, 1956, and state :

(a) the number of applications received fom Scheduled Castes and Scheduled Tribes candidates for the Indian Administrative Service Emergency Recruitment Examination ; and

(b) the number of vacancies proposed to be reserved for Scheduled Castes and Scheduled Tribes candidates ?

The Minister in the Ministry of Home Affairs (Shri Datar) : (a) Scheduled Castes Candidates, 1,125. Scheduled Tribes Candidates. 154.

(b) Twelve and half percentum of the vacancies to be filled on the results of the examination will be reserved for Scheduled Castes candidates and five percentum of the vacancies for Scheduled Tribes candidates, subject to the availability of suitable candidates.

Women and Children's Welfare in Scheduled Areas

442. Shri Bhookha Bhai : Will the Minister of **Education** be pleased to state :

(a) the role played so far by the Central and State Social Welfare Boards for the welfare of women and children belonging to Scheduled Tribes in scheduled areas of the various States; and

(b) whether the Boards have started their activities in rural areas also ?

The Deputy Minister of Education (Dr. M. M. Das): (a) The information is being collected and will be laid on the Table of the Lok Sabha as soon as possible.

(b) Yes, Sir.

Life Grants of Pensions for Disablement etc.

443. Dr. N. B. Khare : Will the Minister of **Defence** be pleased to state :

(a) whether it is a fact that life grants of pensions for disablement caused by tuberculosis and incurable physical injuries certified to be due to service during the Second World War 1939-46, were admitted and capitalised value of such grants recovered from His Majesty's Imperial Exchequer, London ;

(b) if so, whether a number of these grants have been stopped during the lifetime of grantees; and

(c) the post-War annual number of such stoppages ?

The Deputy Minister of Defence (Sardar Majithia) : (a) (i) The answer is in the affirmative as regards life grant of pensions.

(ii) Orders were issued in June, 1945 regarding the allocation between the U. K. Government and the Government of India of non-effective charges during the War of 1939-46. According to these orders, all non-effective awards granted under *Indian Regulations* to or in respect of personnel of the British and Indian Services, were borne by the Indian Revenues and the cost of the similar awards to or in respect of the personnel of the British and Indian Services granted under *Imperial Regulations* were borne by the U. K. Government. The question of recovering any capitalized payment from the U. K. Government did not arise.

(b) Yes, to the extent that the pensionerary award was wholly or partly compensation for loss of functional capacity, in some cases when it was found, on further medical examination by a military medical board, that the disablement had been reduced below pensionable degree or had disappeared. The stoppage had no connection with the division of non-effective charges between the U. K. Government and the Government of India.

(c) Separate statistics are not maintained from which the information can be given.

Temporary Disability Pensions

444. Dr. N. B. Khare: Will Minister of **Defence** be pleased to state:

(a) whether it is a fact that in cases of Temporary disability pensions admitted to Armed Forces personnel and sanctioned by the President in supersession of the decisions of the Controller of Defence Accounts, disbursement of the pension is subject to fulfilment of Audit requirements other than Pension Certificate; and

(b) if so, the number of such temporary grants which stand undisbursed ?

The Deputy Minister of Defence (Sardar Majithia): (a) The superseding sanction by the President only concedes the *eligibility* of the pensioner for drawing the disability pension for a certain percentage of disablement. The actual *disbursement* of the sanctioned pension is governed by normal audit requirements under which it has to be verified whether the claim was preferred in time, whether or not the pensioner has been re-employd,whether the person asking for payment is actually the pensioner, and so on.

(b) Separate statistics are not maintained from which the desired information could be furnished.

Pensions of Armed Forces Personnel

445. Dr. N. B. Khare : Will the Minister of **Defence** be pleased to state:

(a) whether it is a fact that for determining entitlement of Armed Forces personnel and their dependent to pensionary awards, the Government of India have delegated to certain powers to the Controller of Defence Accounts (Pensions) and Pensions Appeal Tribunals; and

(b) if so, the provision of the Act, under which such power is exercised ?

The Deputy Minister of Defence (Sardar Majithia): (a) (i) Yes, certain powers have been delegated to the Controller of Defence Accounts (Pensions) for determining entitlement of Armed Forces personnel and their dependents to pensionary awards.

(ii) The Pensions Appeal Tribunals (which no longer exist) were set up to hear and decide appeals from the claiments

against rejection of *war pension claims* by the pension sanctioning author

(b) Pensionary awards in respect of Armed Forces personnel are not governed by statutory rules. This part of the question does not, therefore, arise.

Poppy

446 Shri Bheekha Bhai: Will the Minister of **Finance** be pleased to state:

(a) the places where poppy cultivation is allowed in Rajasthan;

(b) the total acreage under poppy cultivation at present;

(c) the terms under which the cultivation is permitted; and

(d) the total maundage of opium exported yearly?

The Minister of Finance and Iron and Steel (Shri T.T. Krishnamachari): (a) to (d). A statement giving the requisite information has been laid on the Table of the House. [*See* Appendix III, annexure No. 35].

Law Cases in Kerala

447. Shri A.M. Thomas: Will the Minister of **Home Affairs** be pleased to state :

(a) the number of cases with their categories pending in the Trivandrum bench of the Travancore-Cochin High Court at the time when the Kerala State was formed;

(b) the number of those cases that have been transferred to the Madras High Court; and

(c) the number of those cases that have been taken over to the Kerala High Court?

The Minister in the Ministry of Home Affairs (Shri Datar): (a) A statement is laid on the Table of the House. [*See* Appendix III, annexure No. 36].

(b) 584.

(c) 1116.

Scholarships to Backward Classes

448. Thakur Jugal Kishore Sinha: Will the Minister of **Education** be pleased to state:

(a) the number of students of the "Backward Classes" of Muzaffarpur, Darbhanga and Sitamarhi colleges which have been given stipends for 1956-57; and

(b) why the "Backward Classes" students getting stipend from earlier year have not been considered eligible as has been done in the case of Scheduled Castes and Scheduled Tribes?

The Deputy Minister of Education (Dr. M. M. Das) (a) and (b). The selection of 'Other Backward Classes' candidates, both for fresh and renewal scholarships, has not yet been finalized. The matter is under consideration.

Steel Plant Workers

449. Shri T. B. Vittal Rao: Will the Minister of **Iron and Steel** be pleased to state:

(a) the total number of qualified engineers and skilled workers recruited upto the end of November, 1956 for the three steel plants to be installed in the public sector;

(b) what are the terms and conditions of service; and

(c) whether the three townships will be declared protected areas during the period of construction?

The Minister of Finance and Iron and Steel (Shri T.T. Krishnamachari): (a) 736 qualified engineers an 389 skilled workers have been recruited.

(b) Engineers are appointed on probation for a period of one year, on satisfactory completion of which they will be given contracts for a period of three years each. As a number of these posts would be required more or less permanently contracts will be renewed in the case of those whose services continue to be satisfactory and useful. Other terms and conditions of service are the same as those applicable to Central Government servants.

In the initial stages, a certain number of engineers for the Rourkela steel plant were however appointed on contracts for five years. 183 skilled workers are on the work-charged establishment and 206 on regular temporary establishment. The wages range from Rs. 40 to Rs. 225 per mensem. The work-charged establishment is governed generally by the rules applicable to similar Public Works Department workers. The Central Government Temporary Services Rules apply to the regular temporary staff. Besides these 389 skilled workers, there are 491 trade apprentices undergoing a three year training course on satisfactory completion of which they will be taken as skilled workers. The expenditure on board, lodging and outfit is borne by the Government. Apart from this, pocket money varying from Rs. 5 to Rs. 10 per month depending on their previous experience, is given to each trainee.

(c) There is no such proposal at present.

Illegal Entry in to India

450. Shri D.C. Sharma: Will the Minister of **Home Affairs** be pleased to state:

(a) the number of cases, if any, of illegal entry into India of persons without valid travel documents detected on the Indo-Pakistan border during the period from the 1st of July to the 31st October, 1956;

(b) the number of persons convicted; and

(c) the number of persons who have refused to go back to Pakistan after the expiry of their terms of imprisonment?

The Minister in the Ministry of Home Affairs (Shri Datar): (a) to (c). During the period from the 1st of July to the 31st October, 1956, 10,331 persons were detected to have entered India, excluding Andhra Pradesh, illegally from Pakistan without valid travel documents of whom 7,498 have so far been convicted and 20 refused to go back to Pakistan after the expiry of their terms of imprisonment.

The information relating to Andhra Pradesh will be laid on the Table of the House as soon as it is received from the State Government.

UNESCO Publications

451. **Shri Krishnacharya Joshi:**
Thakur Jugal Kishore Sinha:
Shri Deogam:
Shri Kamath:

Will the Minister of **Education** be pleased to lay a statement on the Table showing the number and names of UNESCO publications translated into Hindi so far by the Indian National Commission for Cooperation with UNESCO.

The Deputy Minister of Education (Dr. K.L. Shrimali): A statement is placed on the Table of the House. [*See* Appendix III, annexure No. 37].

Prisoners in Central Jails in Trivandrum etc.

452. Shri A.K. Gopalan: Will the Minister of **Home Affairs** be pleased to state:

(a) the number of prisoners in the Central Jail of Trivandrum, and Cannanore undergoing life-long sentences; and

(b) the number and period of imprisonment for the prisoners of the following cases:

(i) Soornade Case

(ii) Koothattu Kulam Case

(iii) Edappally Case

(iv) Ennakkattu Case

(v) Karumbhai Case

(vi) Mamuri Case

(vii) Pariyaram Case?

The Minister in the Ministry of Home Affairs (Shri Datar): (a) The number of prisoners undergoing life sentences in the Central Jails of Trivandrum and Cannanore are 263 and 121 respectively.

(b) A statement showing the requisite information is laid on the Table of the House. [*See* Appendix III, annexure No. 38].

Colombo Plan

453. Shri D. C. Sharma: Will the Minister of **Finance** be pleased to state:

(a) how many Indian students have gone abroad for specialized training in various institutions under the Colombo Plan during 1956 so far; and

(b) the names of the institutions to which they have been admitted?

The Minister of Finance and Iron and Steel (Shri T.T. Krishnamachari): (a) Students as such are not sent abroad under the Colombo Plan. Only those persons who are already in employment and are duly sponsored by their employers are sent as trainees. The number of such trainees sent abroad from 1-1-56to date is 205.

(b) These persons are sent primarily for practical training. While some of them also study at training institutions *e.g.* for doing research, the majority of them are attached to firms, offices, etc., for practical training and some go on observation, tours. The number of these institutions, firms, offices etc. etc. exceeds 200 and itis suggested that no useful purpose will beserved by setting out their names here.

Rehabilitation of Ex-servicemen

454. **Shri D. C. Sharma:**
Sardar Iqbal Singh:
Sardar Akarpuri:

Will the Minister of **Defence** be pleased to state:

(a) the number of ex-servicemen from Punjab rehabilitated during 1956 so far; and

(b) the ways in which they have been rehabilitated?

The Deputy Minister of Defence (Sardar Majithia): (a) 1,792, upto the end of September, 1956,

(b) The ways in which the men have been rehabilitated are:

(i) Service under Government or private organisations;

(ii) settlement on land;

(iii) vocational/technical and basic agricultural training.

Higher Secondary and Multipurpose Schools in Punjab

455. **Shri D. C. Sharma:**
Sardar Iqbal Singh:
Sardar Akarpuri:

Will the Minister of **Education** be pleased to state:

(a) the names of Higher Secondary Schools and Multipurpose Schools established in the Punjab during the year 1955-56 with the assistance of the Central Government; and

(b) the amount (i) sanctioned and (ii) the amount spent in each case?

The Deputy Minister of Education (Dr. M.M. Das): (a) No Higher Secondary School was established in the State.

(b) (i) Rs. 48,61,857.

(ii) The names of 35 schools selected for conversion into the multi-lateral type are given in the statement laid on the Table of the Sabha together with the amounts spent on each. [*See* Appendix III, annexure No. 39]. The schools have not, however started functioning.

Punjab University

456. **Shri D.C. Sharma:**
Sardar Iqbal Singh:
Sardar Akarpuri:

Will the Minister of **Education** be pleased to state:

(a) the purposes for which grants were asked for by the University of Punjab in the years 1955-56 and 1956-57; and

(b) the amount granted and the purpose for which it has been granted?

The Deputy Minister of Education (Dr M. M. Das): (a) and (b). A statement giving the requisite information is laid on the Table of the Lok Sabha. [*See* Appendix III, annexure No. 40].

छावनियों की भूमि

४५७. **श्री भक्त दर्शन** : क्या प्रतिरक्षा मंत्री ८ अगस्त, १९५६ के तारांकित प्रश्न संख्या ८५३ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि छावनियों की भूमि व्यवस्था सम्बन्धी नियमों में संशोधन करने के बारे में ब्योरेवार विवरण सभा-पटल पर कब रखा जायेगा ?

प्रतिरक्षा उपमंत्री (सरदार मजीठिया): इस बारे में सरकार द्वारा किये गये फैसलों में कुछ कानूनी उलझनों के कारण विवरण सभा के पटल पर नहीं रखा जा सका तब से वह ऊलझनें सुलझ गई हैं, और आशा है कि प्रस्तावित विवरण चालू सेशन में सभा के पटल पर रख दिया जायेगा ।

सामान्य निर्वाचन

४५८. **श्री विभूति मिश्र** : क्या विधि मंत्री यह बताने की कृपा करेंगे कि आगामी १९५७ में होने वाले सामान्य निर्वाचन के लिये किन किन दलों ने निर्वाचन-चिह्नों के आवंटन के लिये सरकार के पास आवेदन पत्र भेजे हैं?

विधि तथा अल्पसंख्यक कार्य मंत्री (श्री विश्वास) : राजनीतिक दलों के लिये निर्वाचन चिह्नों का आवंटन निर्वाचन आयोग द्वारा किया जाता है सरकार द्वारा नहीं । निर्वाचन आयोग ने जिन राजनीतिक दलों को निर्वाचन चिह्न आवंटित किये हैं उनकी एक सूची और जिन दलों ने निर्वाचन चिह्नों के लिये आवेदन पत्र भेजा है किन्तु जिन्हें निर्वाचन चिह्न आवंटित नहीं किये गये हैं उनकी भी एक सूची सदन पटल पर रख गई है । [देखिये परिशिष्ट ३, अनुबन्ध संख्या ४१]

Welfare Extension Projects in Kerala

459. **Shri Punnoose:** Will the Minister of **Education** be pleased to state:

(a) the number of Welfare Extention Projects established in Kerala during 1955-56;

(b) the number and places of location of these Projects in Alleppey and Ernakulam districts;

(c) the amount of money that has been spent so far in the above places (Alleppey and Ernakulam); and

(d) the amount of money that was contributed by public for the Project during the same period?

The Deputy Minister of Education (Dr. M. M. Das): (a) Two.

(b) No projects were established in Alleppey and Ernakulam districts during 1955-56, but one project was started in Ernakulam district during 1954-55.

(c) and (d). The figures upto the end of 1955-56 are given below:—

	Ernakulam Project Total Expenditure	*Public Donation*
	Rs.	Rs.
1954-55	5,873-15-5	1,784-8-3
1955-56	21,527-12-6	4,580-9-11

After-care and Moral Hygiene Programmes

460. **Shri Punnoose**: Will the Minister of **Education** be pleased to state:

(a) the progress made so far regarding 'after-care' and 'Moral Hygiene' programms sponsored by the Central Social Weelfare Board;

(b) the number of 'After-care' and Rehabilitation Homes that are to be started during the year 1956-57 and places of their location;

(c) the number of persons that are undergoing training in these institutions;

(d) the conditions of their admission and their duties; and

(e) the basis of allotment of these 'Homes' to different States?

The Deputy Minister of Education (Dr. M.M. Das): (a) and (b). A statement giving the requisite information is attached. [*See* Appendix III, annexure No. 42].

(c) No Home or Shelter has yet started functioning.

(d) They have not yet been settled.

(e) Five Homes in each State and as many Shelters as there are districts are proposed to be established in each State. Ten Homes in all and a shelter for each District are also proposed to be established in the Union Territories.

Salem Iron Ore

461. **Shri C. R. Narasimhan**: Will the Minister of **Natural Resources and Scientific Research** be pleased to state:

(a) whether the Salem Iron Ore (magnetite) has been sent to the National Metallurgical Laboratory for tests; and

(b) if so, the results thereof?

The Minister of Natural Resources (Shri K. D. Malaviya): (a) Not yet Sir.

(b) Does not arise.

Rehabilitation of Riang Zumias.

462. **Shri Dasaratha Deb**: Will the Minister of **Home Affairs** be pleased to state:

(a) whether the Riang Zumias of Ananda Bazar, in Kanchanpur Tehsil, Tripura have applied for rehabilitation; and

(b) if so, what steps Government are taking to expedite their rehabilitation?

The Minister in he Ministry of Home Affairs (Shri Datar): (a) and (b). Information is being collected and will be laid on the Table of the House in due course.

Foreign Loans

463. **Shri R. P. Garg**: Will the Minister of **Finance** be pleased to state:

(a) whether loan from private enterprise in some foreign country, was ever offered to Government sponsored enterprise in this country for the development of industry;

(b) if so, the names thereof and the terms and conditions on which the loan was offered;

(c) whether any such offer has been accepted; and

(d) if not, the reasons thereof?

The Minister of Finance and Iron and Steel (Shri T. T. Krishnamachari): (a) Yes.

(b) to (d). The offer made for the Durgapur Steel Project was accepted. The terms of the loan were includediin a statement laid on the Table on the 13th March, 1956 in reply to starred Question No. 669.

अखिल भारतीय टेक्निकल (प्राविधिक) शिक्षा परिषद्

४६४. **श्री एल० चं० सोधिया**: क्या शिक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) अखिल भारतीय टेक्निकल शिक्षा परिषद् द्वारा संचालित परीक्षाओं में सन् १९५६ में किन-किन संस्थाओं के कितने-कितने परीक्षार्थी किन-किन विषयों में परीक्षाओं में बैठे और उन में कितने उत्तीर्ण हुये; और

(ख) परिषद् ने १९५६ में इन परीक्षाओं के संचालन पर कितनी राशि व्यय की ?

शिक्षा उपमंत्री (डा० म० मो० दास) : (क) और (ख). अपेक्षित सूचना देने वाला एक विवरण सभा पटल पर रख दिया गया है। [देखिये परिशिष्ट ३, अनुबन्ध संख्या ४३].

Seizure of Gold

465. Shri M. Islamuddin : Will the Minister of **Finance** be pleased to state

(a) the quantity of gold seized by the customs authorities during the period January-October, 1956 ;

(b) the value involved in each case; and

(c) the ground on which the seizure of gold in each case was made ?

The Minister of Finance and Iron and Steel (Shri T. T. Krishnamachari): (a) The quantity of gold seized by the Customs authorities during the period January—October, 1956 was 1,07,745 tolas.

(b) and (c). The compilation of a list giving in each case the value involved and the ground on which the seizure of gold was made will entail an expenditure of time and labour out of proportion to the benefit likely to be achieved from such compilation. However, the total number of cases was 1,235 and the aggregate value of gold involved was Rs. 102,61,173. The seizures were made on one or other of the following grounds:

(1) Unauthorised importation without permit from the Reserve Bank.

(2) Seized in town believed to have been smuggled.

(3) Attempted illicit export.

Specialisation in Asian and European Languages.

466. Shri Shree Narayan Das : Will the Minister of **Education** be pleased to state:

(a) the number of candidates sponsored by the Universities Comparable nstitutions, Central Government and State Governments under the scheme for specialisation in certain languages of Asia and Europe so far:

(b) (i) the total number of applications received, (ii) the number of those accepted, (iii) the number of those who were actually sent, and (iv) the number of those who completed the course giving the name of the language in each case; and

(c) the number of these who are acting according to the Bond they executed in this respect ?

The Deputy Minister of Education (Dr. M. M. Das) : (a) 339.

(b) A statement is laid on the Table of the House. [*See* Appendix III, annexure No. 44.]

(c) All.

State Finance Corporations

467. Shri C. R. Iyyunni : Will the Minister of **Finance** be pleased to state :

(a) whether the State Financial Corporations are bound to pay taxes to the Income-Tax Department even if the profits earned by them are inadequate to pay the guaranteed dividends to the shareholders ; and

(b) if so, whether the imposition will take in the subvention amount given by the State to meet the payment of gueranteed dividends ?

The Minister of Finance and Iron and Steel (Shri T. T. Krishnamachari): (a) Yes, Sir. For the purposes of income-tax State Financial Corporations are treated as companies within the meaning of the Indian in come-Tax Act, 1922 (XI of 1922) and are liable to Income-Tax and Super-Tax on their income, profits and gains vide Sectoin 43 of the State Financial Corporations Act, 1951.

(b) Amounts paid by State Governments under the guarantee given in pursuance of section 6 of the State Financial Corporations Act, 1951 are not treated as income, profits and gains of the Financial Corporations and so that is not taken into consideration for calculating Income-Tax.

Grants for Primary Education

**468. { Sardar Iqbal Singh :
Sardar Akarpuri :**

Will the Minister of **Education** be pleased to state :

(a) the total amounts granted during 1956-57 so far to the various States in connection with primary education, Statewise ; and

(b) the amount actually utilised by the States ?

The Deputy Minister of Education (Dr. M. M. Das) : (a) A statement is laid on the Table of the House. [*See* Appendix III, annexure No. 45].

(b) This information is not available as the year 1956-57 is still running.

State Bank of India

469. { **Sardar Iqbal Singh :**
Sardar Akarpuri :

Will the Minister of **Finance** be pleased to state the gross profits of the State Bank of India from the 1st January, 1956 to the 30th June, 1956 ?

The Minister of Finance and Iron and Steel (Shri T. T. Krishnamachari): In terms of Section 39 of the State Bank of India Act, 1955, the books of the State Bank are to be closed and balanced on the 31st of December in each year. No figures of profits for the half-year ended the 30th June, 1956 are, therefore, availaible.

Breach of Traffic Regulations

470. { **Sardar Iqbal Singh :**
Sardar Akarpuri :

Will the Minister of **Home Affairs** be pleased to state the number of police officers who have been challaned for breach of traffic regulations in Delhi State, from the 1st October, 1955 to the 30th September, 1956 ?

The Minister in the Ministry of Home Affairs (Shri Datar) : Three.

Geographical Names

471. { **Sardar Iqbal Singh :**
Sardar Akarpuri :

Will the Minister of **Natural Resources and Scientific Research** be pleased to refer to the reply given to Starred Question No. 1619 on the 21st April, 1956 and state :

(a) the number of changes made in geographical names since then ; and

(b) whether a list of these geographical names will, be laid on the Table ?

The Minister of Natural Resources (Shri K. D. Malaviya) : (a) Eight.

(b) A list showing the changes in geographical names approved by the Government of India after 21st April, 1956, is laid on the Table of the House. [*See* Appendix III, annexure, No. 46].

DAILY DIGEST

Thursday, 29th November, 1956

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LOK SABHA

Thursday, 29th November, 1956.

The Lok Sabha met at Eleven of the Clock.

[MR. DEPUTY-SPEAKER *in the Chair*]

QUESTIONS AND ANSWERS

(See Part I)

12 hrs.

PETITION *RE.* INDIAN POSTS AND TELEGRAPHS ACT AND RULES

Shri Viswanatha Reddy (Chittoor): Sir, I beg to present a petition signed by a petitioner in respect of the Indian Posts and Telegraphs Act and the Rules framed thereunder.

MOTOR VEHICLES (AMENDMENT) BILL—Concld.

Mr. Deputy-Speaker: The House will now take up further consideration of the following motion moved by Shri Lal Bahadur Shastri on the 28th November, 1956:

> "That the Bill further to amend the Motor Vehicles Act, 1939, as reported by the Joint Committee, be taken into consideration."

The Deputy Minister of Railways and Transport (Shri Alagesan): Yesterday, I just began and said that I was happy to note the universal welcome which this measure, as emerged from the Joint Committee, received in this House, particularly from the hon. Members who participated in the discussion. They mainly

welcomed the provision that had been made for the creation of inter-State Transport Commission and laid emphasis on certain other aspects of the Bill. There were also some hon. Members who spoke against the nationalisation of road transport while some others were equally vigorous in suggesting more and more nationalisation. When I heard both these points of view, it struck me as somewhat unrealistic in the present conditions that obtain in the country. In the picture that the Indian economy presents today, there should be absolutely no conflict between the public and the private sectors in the road transport field.

One hon. Member very happily described the Bill as a good example of both the private and public enterprise. In fact, the present Indian scene presents such a happy blending of both private and public sectors and this is only a miniature which has the same aspect.

As far as the nationalised sector goes, a sum of Rs. 10 crores was spent actually on the nationalised road transport services during the First Plan though Rs. 12 crores were set apart. The provision made in the Second Plan is for an expenditure of Rs. 27 crores for nationalisation purposes. This will still leave a very large field for the private operators to take possession of and do useful service.

Let us consider the amount of traffic that will have to be carried during the next five years. It has been calculated when the plan for the railways was formulated that they would have to carry an extra quantum of traffic amounting to 60·8 million tons. Even

[Shri Alagesan]

so, the target for the expansion of railway transport provided only for the carrying of about 47 million tons including the five million tons of arrears that fell due in the First Plan. Thus, there is already a gap of about 18 million tons. Certain targets of production have been revised. It has been decided to increase the target for cement production from five to eight million tons; similarly, in the field of food production, it has been increased from ten to twenty million tons. So, actually the traffic that will have to be carried goes up by at least fifteen million tons and the resultant gap comes to about 25 million tons. Even to carry the traffic that has been proposed to be carried by the railways, the expenditure may have to undergo an upward revision because the costs have already gone up. Even to carry the 47 or 50 million tons, the target for the railways, the cost of the railway plan will have to be revised in an upward way. When this traffic of about 25 million tons offers itself, there should be no conflict between the modes of transport. Road transport has naturally to come in and play its role. We will have to press other forms of transport as well—for instance, the inland waterways which are not very much used. We have to think of developing them and using them also. So also, coastal shipping. So, there is no question of private sector *versus* public sector in road transport; it is one of private sector *cum* public sector.

There were other hon. Members who pleaded that we should put a stop to nationalisation. They expressed grave doubts as to the utility of carrying on further with nationalisation schemes. I think that they are not quite in touch with the actual facts of the situation. It is not for the mere fact of it that one wants nationalisation. The hon. Member from Manipur spoke yesterday about developing hilly regions like Himachal Pradesh, Manipur, Tripura, etc. where there is no private enterprise coming forward to operate the service. So, there is no other alternative to nationalisation in those regions.

Then, again, take the quality of service that is rendered. After the various State Governments have undertaken the nationalisation programmes and put them through, certainly the quality of service rendered to the public has gone up. I do not say that all is well with the nationalised sector.

Even in Delhi we quite often hear complaints, and there is great justification for those complaints. The D.T.S. has to be pulled up and reformed in several aspects. But such of those hon. Members who were here when the old G.N.I.T. were running buses and vehicles in Delhi will acknowledge that the present D.T.S. represents a very great step forward in regard to the quality of service that is being rendered to the public.

So, nationalisation has come to stay and there is no use quarrelling about it. But it can be very well realised that it does not come in the way of expansion of private operators. They have got a very large field. The two circles, which both the nationalised transport and the private transport have described, have still not covered a very large field. They have not touched each other or infringed upon each other. Therefore, I should like to say that we have to realise the anxiety of various State Governments to render more service to the public by way of providing better passenger transport facilities, and also undertaking in some places goods transport.

The question now is one of co-ordination and pressing into service all forms and manner of transport instead of one sector quarrelling with the other.

The question of rail transport was also raised yesterday and my hon. friend Shri Viswanatha Reddy said that this bogy of road competition against railways should be laid at rest. True, it no more exists. There cannot be any question of competition

between road transport and rail transport. Both have to supplement and complement each other, and still there will be a large volume of traffic to carry.

Then, so far the private sector have been advancing the plea that their development is being retarded on account of various factors. They mentioned prominently the fear of nationalisation, high level of taxation, restrictions on inter-State transport and inter-regional transport, restriction on long haulages under the Code, permits for short periods and also high prices of vehicles. These were the broad fears and grounds that were given expression to by the private sector. They pleaded that as long as these factors are there hindering further expansion, they will not be able to make much progress.

Take the question of nationalisation. I have already explained it. It has been computed by the study group which went into the question in very great detail that even to nationalise the present passenger transport services it will require such a huge sum as Rs. 100 crores. I have already stated that the provision in the Second Plan is only Rs. 27 crores. Therefore, if anybody says that nationalisation will stand in the way of further expansion in the private sector, he is only afraid of a phantom and not of any reality. But it is true that the position in general was somewhat like this. The individuals were standing in dread of their particular routes being nationalised. Now, as far as that goes, that fear has been removed. We have asked the various State Governments to prepare schemes of nationalisation of passenger transport and phase it properly so that there is enough notice given to the private sector to enable them to make other arrangements or think of alternative routes in the meanwhile. That has been agreed to by the State Governments.

Another factor also has to be taken note of. The Planning Commission and the Transport Ministry have said that it is always better that the Centre also comes into the operation of road transport. There will be Road Transport Corporations formed. Somebody said that many of these departmental undertakings do not even pay income-tax. The Railways will gladly share the contribution towards the capital of such corporations. Even private operators can come in if they are prepared for it. But the private operators so far have shown no great inclination to enter into these corporations. So these corporations can be formed by the Railways participating and also the States participating. And, when schemes of passenger transport nationalisation are prepared, phased and placed before the public in advance, there should be no hesitation on the part of private transport to expand in other routes that are not going to be nationalised.

Some hon. Members opposite put forward the plea that there should be no objection to go forward with reference to nationalisation of goods transport as well. But, as I have said, there is a great limitation on the resources that have to be found for this purpose. In fact, that is the limitation. When we want to expand road transport by means of formation of these Road Transport Corporations, we take very good care of any future development with reference to competition between road and rail transport. That is obviated.

With reference to goods transport also, it is my intention to ask the Railway Board to take to goods transport themselves. There are not many private operators coming forward. The Railways themselves can try this experiment of operating goods transport vehicles. That will not be nationalisation in any big sense. The field for goods transport is completely left free for the private sector. It can come in and contribute its own share.

So, there should be no fear left anywhere with reference to nationalisation which is limited by so many factors that I have just mentioned and which has been very realistically conceived

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taking all the existing conditions into account.

Then there is the question of high level of taxation. This was also gone into by the study group. They came to the conclusion that the remissible part of this taxation does not mean much. When the cost of road transport operation is taken as a whole they find that it forms a very minor part. But still, through the machinery of the Transport Advisory Council we have been taking necessary steps in this direction so that the State Governments may not go on increasing the level of taxation on the motor vehicles.

With regard to the question of restriction on inter-State transport and inter-regional transport, the inter-State transport will be taken care of hereafter by the Inter-State Transport Commission that this Bill creates. Up till now there was no proper instrument in the hands of the Central Government to execute its policies in the matter of inter-State transport. This Inter-State Transport Commission will provide such an instrument by which the development of these inter-State routes can be undertaken, regulated and further developed. So, that is provided for.

As far as regional restrictions go, we have asked the various State Governments to do away with them and see that there is as much freedom given, to both public carriers and private carriers, as possible.

Then I come to the question of restriction on long haulages under the Code. I would like to say a few words about this Code which, I think, is more a memory of the past than something really belonging to the present. It was true that in the thirties and later on when there was fear of road competition against the railways, the principles and practices of this Code were conceived and a certain zonal restriction of 150 miles was placed. Even so, this Code was not ratified by many of the State Governments. I think the one State Government which ratified and gave effect to it was the then Madhya Pradesh Government and the present Madhya Pradesh Government also continues it. Barring this and a few other examples, the Code was not very much practised in other States, but still, it represented a sort of psychological barrier in the minds of the private operators, and they were always mentioning this Code as something that came in their way.

It will be seen that in the Bill as introduced originally in the Lok Sabha, there was a clause—clause 50—the provision under which ran as follows:

> "....no such permit shall, without the previous approval of the State Transport Authority, be granted for a route exceeding one hundred and fifty miles and serving places connected by railway".

Then, in the same clause, there was a sub-clause defining the meaning of places connected by Railway, etc. These two provisions have been omitted in the Bill which is now before the House, as reported by the Joint Committee. So, this question of some restriction coming in the way of long haulages under the Code does not stand. Therefore, there cannot be any restriction. Of course, road transport is more economical—That has been examined and found to be so—with reference to short haulages. This distance restriction has been found to exist in other countries as well, but in cases where it is found necessary that a longer distance is necessary for the economical operation of the goods vehicles, certainly it can be undertaken without any restriction being placed upon it. In fact, we have already told the State Governments that wherever they feel that the Code comes in the way, they have only to write to the Transport Ministry and the Transport Ministry will be too glad to consider it in consultation with the Railway Ministry and allow the

relaxation. So, this Code should not any more come in the way of further expansion.

There was also the question of granting permits for short periods. When the State Governments wanted to undertake nationalisation, they began to issue permits for very short periods like three months, six months, etc. In fact, several State Governments amended the Act which had of course local effect, namely, of enabling them to give permits only for short periods. Then, it required a good deal of persuasion in the Transport Advisory Council to make them agree to a period of one year, that is, no permit can be granted for a period shorter than a year. But now we have done away with all these things. We have said that the minimum period will be three years, and that there is no question, hereafter, of granting permits for very short periods. So, this objection also goes. This was one of the things that was found irksome to private transport, and it has been removed.

Then comes the question of high prices of motor vehicles and the necessity for developing the indigenous automobile industry which was very rightly stressed by some hon. Members. Dr. Jaisoorya pleaded that the policy of protection that is being afforded to the indigenous automobile industry has not produced good results or rather, it has not produced the results that we require. I only wish to say—I shall not be able to go into the details with reference to this—that this matter has been recently gone into by the Tariff Commission. I think their report also is in the hands of the Government. It has been just received, or, I think, it was received sometime back. It is being studied and examined by the respective Government departments. So, the report is out, and we shall have some more light thrown on this subject. The steps that have to be taken to make the indigenous industry meet our needs, make it more efficient, etc., should have been discussed by the Tariff Commission. They should also have discussed the question of high prices, and we should await the decision of the Government on this matter. But I feel, without committing the Government in any way, that the policy of protection and the question of prices require some re-thinking on the part of the Government. They should be conceived in such a way as to produce results which will lead to further expansion of road transport.

Then, I would like to point out that, apart from all these factors, the private operators themselves come in the way of further expansion of road transport. When there is any question of opening more routes, awarding more permits for a larger number of vehicles, etc., it is the private operators who already run their vehicles on the particular routes that raise the objections. The private operator would like to create a certain amount of scarcity on the particular route that he serves so that he could gain his maximum, and he will not hesitate at any infringement of the regulations in this regard. So, the private operators should also try to co-operate and not raise frivolous objections. I am talking of the existing operators coming in the way of further expansion of road transport. This seems to have been lost sight of by some Members who spoke and accused the Government of all sorts of things.

Then the question of compensation was raised and opposite views were expressed. Some said it is too liberal and some others said that it is not so liberal. As the House is aware, the Joint Committee was pleased to double the quantum of compensation that was provided in the original Bill, and Government thought that it should not stand in the way of the Joint Committee making that change. As Shri V. B. Gandhi said yesterday, we wanted to leave the impression in the minds of the private sector that we are prepared to be fair in this matter. We do not want to be harsh or very stingy in the matter of compensation. But, at the same time, it will be

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recognised that we may not be able to go further than this. In fact, the original level of compensation that was proposed was the level that was adopted by the U.P. Act. In fact, that was adopted by the U.P. Government on our advice and so, we adopted the same scale of compensation. But the Joint Committee during the course of their deliberations thought it fit to raise this level and double it. We have agreed to it and I hope that will satisfy all the interests concerned.

Then the question of alternative routes was raised. Pandit Thakur Das Bhargava was pleading that wherever an operator is displaced, he should be granted an alternative route. There is a provision in the Bill for grant of alternative routes. Government can issue instructions to the State Transport Authority or the Regional Transport authority for the grant of permits for running on alternative routes when a particular route is being taken away for operation by Government.

Then the question of duration of permits was raised by many hon. Members and they said that it should be further raised. It is already raised to 5 years in the matter of goods vehicles, and even in the matter of buses, it is between 3 and 5 years. Nobody prevents the transport authorities concerned making it 5 years. The minimum period is 3 years and it cannot be shorter than 3 years. The Road Transport authority, the Regional Transport authority or the State Transport authority can issue permits for vehicles up to 5 years. When the nationalisation scheme is prepared, it should be easy for the various Transport authorities to suitably increase the period of the permits. It can go very well up to 5 years even in the case of passenger transport vehicles, but it will not be right to ask for further increase in these limits. The State Governments, I am sure, will oppose such an increase, if it is sought to increase this duration to 7 or 10 years. The State Governments, certainly, will oppose it for they will plead that it is almost acquiring a sort of permanent right in the route. I think that this provision will be found acceptable to all sections of the House.

Then the question of acquiring the assets at the time of nationalization was raised. I do not know how it is going to benefit at all the State Government or the private operator if all the assets are going to be acquired at the time of nationalisation; he may have put up some buildings or he may like to use them for some other purposes. The vehicles may have been just useless junk and we cannot go and spend good money in buying these useless vehicles. So, it has been left for private negotiation between the Government and the private operators. When the Government feel that they can take over vehicles in good condition, they can certainly do so, but certainly we should not here plead that the tax-payers be burdened with throwing good money after bad things. In fact, perhaps, some hon. Members who were Members of the previous House should be able to recall the criticism that was levelled against Government when they paid huge sums of money as compensation and took over the vehicles of the former G.N.I.T. Company, here in Delhi. They were all useless scrap. I do not remember the sum, but I think several lakhs were paid. Naturally, Members took exception to that unwise course of throwing good money as compensation for useless vehicles. Such a charge will be levelled against State Governments also, if we make it obligatory on the State Governments to acquire all the assets of the private operators at the time of nationalisation.

The question of preference that is sought to be shown to co-operative societies was raised by some hon. Members, and they pleaded that all is not well with the co-operative movement. I agree very largely with them. It has become just a slogan; when you say 'co-operative society' it seems to cover so many sins now. It should not be so. I myself have some experience of these co-operative societies

functioning in my State, and I know that all is not well with the co-operative movement, but that should not stand in the way of our taking steps to further expand the co-operative movement. Formerly, it was confined to only some credit operations and it did not spread out; it rather became stagnant at a particular level and it did not expand. Now several new ideas are coming into the field and we are thinking of very extensive agricultural co-operatives to increase food production and we mainly rely on them to realize the increased target of food production and we are going to set up these co-operatives in the Community Project and National Extension Service areas and so, it fits in with that view that we should encourage co-operatives.

It was said that a private operator may expand into a co-operative society himself, by putting in only his relations, members of his family, etc. I do not know how it will be possible for him to run away with such a co-operative society. But I should like to tell hon. Members that this idea of a co-operative society of vehicle owners was there even in the original Act. If you turn to section 108 of the Motor Vehicles Act, 1939, this is what you find there:

> "The State Government may on the application of a co-operative society of public service vehicle owners, registered or deemed to have been registered under the Co-operative Societies Act, 1912, or under an act of a State Legislature governing the registration of co-operative societies and subject to the control of the Registrar...."

This idea of a co-operative society of public service vehicle owners was there in the minds of the framers of the Act even in the year 1939. So it does not come a day too soon when we propose to give preference to the co-operative societies in the matter of grant of permits, other things being equal.

Shri B. K. Das (Contai): Is there anything in this Bill that the R.T.A. will be barred from judging whether a co-operative society is a good one or not? If it is a bad society, it must not be given any preference.

Shri Alagesan: Legally, it will be difficult to define a good or bad society. All that could be done will be that these societies will have to be registered under the existing Act—either the Central Act or the respective State Acts—and the Registrar of Co-operative Societies, who gives his consent to the registration of such a society is supposed to take all factors into account, whether this society will further the co-operative principles, and also further the economic interests of the members of the society concerned. These are the broad criteria laid down in the Co-operative Societies Act. So, when we register these societies, then it should be enough that they come under this definition and the R.T.A. will proceed under the provisions of the Act. That is how I conceive it.

There are also other Co-operative societies. I know of a certain society of ex-Servicemen, a certain society formed by D.Ps. This will provide a very good scope for all those people with small means to come together and run road transport. As I said, the mere name or calling a certain concern a co-operative society does not produce all the good results. It is the human material which go to make the societies that counts in the final analysis. I think a very right step has been taken by the Joint Committee in giving preference to co-operative societies in the matter of granting permit. This movement has to be much more broad-based and extended into fields into which it does not extend now.

I come to the question of the working conditions of the workers in this industry. That was rightly stressed by Shri Vittal Rao and Dr. Rama Rao. I think I answered this question in the Question Hour sometime back and I can clearify the position further. At present the Motor Vehicles Act, 1939 includes only one section—section 65—which restricts the hours of work of

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drivers of transport vehicles. The question whether the Act should be enlarged to cover other matters relating to employment was considered by Government and it was agreed that it would be more appropriate to undertake separate legislation on the subject rather than widen the scope of the Act, which is primarily concerned with the safety aspects of motor vehicles and the control and rationalisation of motor transport services. The Ministry of Labour are seized of this matter and are having under their consideration proposals for the enactment of suitable legislation with regard to this. In pursuance of the conclusion reached at a meeting of the Standing Labour Committee held in April this year, the draft of the provisions that may be included in the proposed legislation has been circulated by that Ministry to State Governments for comments. As soon as their replies are received, a special committee consisting of representatives of State Governments' nationalised transport undertakings and some non-official organisations interested in road transport problems will scrutinise the comments and make recommendations to Government in regard to the provisions to be included in the proposed Bill. Further action will be taken by the Ministry of Labour in the light of the recommendations of this committee.

Shri T. B. Vittal Rao (Khammam): It will be taken up in the next Parliament.

Shri Alagesan: Perhaps so; the next Parliament is not far off and I hope the hon. Member will be here.

It is not possible to hold out any assurance when the measure will come up before Parliament; but, the Labour Ministry are doing their very best to expedite the matter and it is hoped that it will be possible to bring forward the legislation much sooner than my hon. friend expects.

I think I should not take more time of the House. I have answered all the points raised by hon. Members. Some other points were raised regarding fitness certificate etc. I can explain all of them, but for want of time, I should like to conclude now.

Mr. Deputy-Speaker: The question is:

> "That the Bill further to amend the Motor Vehicles Act, 1939, as reported by the Joint Committee, be taken into consideration."

The motion was adopted.

Clauses 2 to 4 were added to the Bill.

Clause 5— (*Amendment of section 7*)

Dr. Rama Rao (Kakinada): I beg to move:

> Page 4—
>
> *omit* lines 5 and 6.

The Bill proposes to raise the licence fee for the driver from Rs. 5 to Rs. 11. I do not want the licence fee to be increased.

Shri Alagesan: The period of validity of the licence is also increased from one year to three years. So, the fee has been increased.

Mr. Deputy-Speaker: The question is:

> Page 4—
>
> omit lines 5 and 6.

The motion was negatived.

Mr. Deputy-Speaker: The question is:

> "That clause 5 stand part of the Bill."

The motion was adopted.

Clause 5 was added to the Bill.

Clauses 6 to 51 were added to the **Bill.**

Clause 52.—(*Amendment of section 58*).

Shri Bahadur Singh (Ferozepur-Ludhiana—Reserved—Sch. Castes): I beg to move:

(i) Page **33**, line **40**—

omit "A stage carriage permit or"; and

(ii) Page **34**, line **5**—

before "other than" *insert* "or a stage carriage permit"

I want that there should be no difference in the period of permit between the stage carrier and the public carrier. At present the period is **3** years for stage carriers and 5 years for public carriers. I want that this distinction should not remain there. It should be 5 years for both, because it will not be possible for the owner to get back the return within three years.

Shri Alagesan: The Joint Committee have thought it fit to retain the present lower limit of three years. I have also explained that if the Road Transport Authorities so desire, they can even issue permits for a period of 5 years. So, I do not think there is any necessity for this amendment. I oppose it.

Mr. Deputy-Speaker: Amendment No. 24 is the same as No. 11 and amendments Nos. 12 and 13 are not moved.

The question is:

(i) Page **33**, line **40**—

omit "A stage carriage permit or"; and

(ii) Page **34**, line **5**—

before "other than" *insert* "or a stage carriage permit"

The motion was negatived.

Mr. Deputy-Speaker: The question is:

That clause 52 stand part of the Bill."

The motion was adopted.

Clause 52 was added to the Bill.

Clause 53 was added to the Bill.

Clause 54. (*Amendment of section 60*).

Shri Alagesan: I beg to move:

Page **35**—

(1) *after* line **5**, *insert*:

'(i) in clause (c) for the word "possess" the word "own" shall be substituted.'

(2) the existing items (i), (ii) and (iii) shall be re-numbered as items (ii), (iii) and (iv) respectively.

I shall briefly explain this. Under section 60(1)(c) of the Motor Vehicles Act, 1939, the Regional Transport Authority which granted a permit, may cancel a permit or may suspend it for such period as it thinks fit if the holder of the permit ceases to possess the vehicle or vehicles covered by the permit. In a recent judgment of the Allahabad High Court, an order of cancellation of a permit under the above provision was set aside, because although the vehicle is sold to another person and registered in his name, the permit holder could say that it was still in his possession. This judgment has created difficulty for the Regional Transport Authorities in that they cannot always prove actual dispossession of a vehicle. In order to get over this difficulty, it was suggested by a State Government that the word "possess" occurring in this section should be substituted by the word "own" since the change of ownership can be proved as soon as transfer of ownership is entered in the records of the registering authority. That is the reason why this amendment has been brought forward.

Mr. Deputy-Speaker: The question is:

Page **35**—

(1) *after* line **5**, *insert*:

'(i) in clause (c), for the word "possess" the word "own" shall be substituted.

[Mr. Deputy Speaker]

2. the existing items (i), (ii). and (iii) shall be re-numbered as items (ii), (iii) and (iv) respectively.

The motion was adopted.

Mr. Deputy-Speaker: The question is:

"That clause 54, as amended, stand part of the Bill."

The motion was adopted.

Clauses 55 to 61 were added to the the Bill.

Clauses 55 to 61 were added to the Bill.

Clause 62.—(*Insertion of new Chapter IVA*)

Shri T. B. Vittal Rao: I beg to move amendments Nos. 1 to 4.

Shri Alagesan: Amendment No. 2 does not stand in his name. Only amendments Nos. 1, 3 and 4 are in his name.

Mr. Deputy-Speaker: So, he is only moving amendments Nos. 1, 3 and 4.

Shri T. B. Vittal Rao: Yes.

I beg to move:

(i) Page 45, lines 30 and 31—

omit "and accepted by the holder of the permit"

(ii) Page 46, lines 5 and 6—

for "Two hundred rupees" *substitute* "One hundred rupees"

(iii) Page 46, lines 8 and 9—

for "One hundred rupees" *substitute* "Fifty rupees"

The quantum of compensation that has been fixed, or rather, which has been raised by the Joint Committee is too much. I am sure the State Governments have not at all been consulted in this matter. If the State Governments had been consulted, they would not have agreed to such a revised compensation. At what rate does it work out? Suppose a person is plying a route having invested Rs. 25,000, when the State takes over or modifies or candels the permit, they would be paying at the rate of Rs. 200 per month per vehicle. It works out to 10 per cent of the total investment if the vehicle costs Rs. 25,000 whereas in the case of Government bonds, it is very difficult to except 4 per cent. Here, for nothing,—the business has been taken over—we pay compensation at the rate of 10 per cent. Is it justifiable?

My friend Sardar Iqbal Singh was arguing that the Central Government have paid a huge amount of compensation, or recommended a huge rate of compensation to the owners of the Kolar Gold Fields than was proposed by the State Government. I need not go into the circumstances under which such a high rate of compensation was paid to the Kolar Gold Fields. I would only ask my friends who demand more compensation to just read the speech of Shri Hanumanthaiah, the former Chief Minister of Mysore, when that Bill was moved in the Mysore Legislative Assembly. I need not say anything further. By this rate of compensation, you are actually preventing the State Government from nationalising Road Transport. Having declared it as your policy that there shall not be any nationalisation of freight transport, are further making it impossible for the State Government to undertake nationalisation. The State Governments today are willing to nationalise. Only a few months ago, the Banglore Transport Co., which was running a suburban service in the city of Bangalore, was taken over and compensation was paid. If computed at this rate of compensation, the compensation that was paid by the Mysore State Government would work out to as much as twice or thrice of what we are providing for.

I would like to bring home to the Government one point. After you cancel or modify the permit, is the vehicle going to be idle? There is huge scope for development of road transport. No vehicle will be idle.

If he goes out of business, if he is not going to run in other places, at least he will sell it to some factory or mine or any such businessman so that he can utilise it for his own purposes. So, paying huge compensation is really against the interests of the State. The State Governments are very anxious to go ahead with nationalisation. Today, they are undertaking so many development works and they are finding it difficult to find finance. This would be a source of income for them. Don't deny it to them. This way of arbitrarily imposing such restriction on the plea that you are going to have a national co-ordinated road transport policy, is against the interests of the State Governments, against the interests of the people and against the interests of the very policy which we are going to advocate. Therefore, I strongly ask the Minister to reconsider and accept the amendments that I have moved.

Mr. Deputy-Speaker: Amendments moved:

(i) page 45, lines 30 and 31—

omit "and accepted by the holder of the permit"

(ii) Page 46, lines 5 and 6—

for "two hundred rupees" *substitute* "One hundred rupees".

(iii) Page 46, lines 8 and 9—

for "One hundred rupees" *substitute* "Fifty rupees".

Dr. Rama Rao: I beg to move:

Page 44—

omit lines 23 to 26.

In page 44, sub-clause (3) there is a proviso about taking over by the State Government. "This compels the State Governments to obtain the previous permission or approval of the Central Government. Here, I already indicated that there is a tendency on the part of the Central Government to restrict the freedom of the State Governments to nationalise routes as and when they think fit. I do not want the Central Government to put too many impediments in the way of the State Governments. Therefore, I want this proviso to be omitted which reads:

13 hrs.

"Provided that no such scheme which relates to any inter-State route shall be deemed to be an approved scheme unless it has been published in the Official Gazette with the previous approval of the Central Government."

When you want approval from the Central Government it may take any number of months or years for papers to pass up and down, and any remark by some Under Secretary for any information will take at least another three months or six months. Therefore, this will place a handicap on the State Governments and thus interfere with the freedom of the State Governments. Therefore, I desire this proviso to be deleted.

The hon. Minister just now stated in his speech that the public sector and the private sector are having a happy co-existence. Of course, he did not use those words, but that is what he meant. Of course, co-existence is very happy because the private sector has about 90 per cent and the public sector has about 10 per cent of the total vehicles. We want this to increase as repidly as possible. As my hon. friend Shri Vittal Rao mentioned just now, there is no question of any vehicle going out of use because the demand is so great and the limitations on nationalisation are such that any route nationalised will not throw the private vehicles out of work. Therefore I desire that this restriction should be removed.

Mr. Deputy-Speaker: Amendment moved:

Page 44—

omit lines 23 to 26.

सरदार इकबाल सिंह (फाजिल्का—सिरसा) : जनाब डिप्टी स्पीकर साहब,

[सरदार इकबाल सिंह]

मैं अपनी एमडयट्स (संशोधन) नम्बर १७ और २१ को मूव (प्रस्तुत) करता हूं :

(i) Page 45—

omit lines 32 to 34.

(ii) Page 46—

after line 27, *insert*:

"68GG. Notwithstanding any thing contained in sub-section (i) of section 68G, when in pursuance of a scheme approved under section 68D, the applications for renewal of a permit are not entertained or refused, there shall be paid to the permit holder compensation which may not be less than two years' profits, to be determined by a tribunal consisting of one nominee of the permit holder, one representative of the State Transport undertaking and an independent chairman to be nominated by the Government.

68GGG. Whenever as a result of cancellation, modification or refusal to renew a permit in pursuance of a scheme approved under section 68D the holder of the permit is unable to use his vehicles and other assets connected with the business, the State Transport undertaking shall take over such vehicles and assets at an agreed price or a price as nearly as the market value, to be determined by a tribunal consisting of one nominee each of the permit holder and the State Transport undertaking and an independent chairman to be nominated by the Government."

इस सिलसिले में अभी श्री त० ब० विट्ठल राव और हमारी डिप्टी मिनिस्टर साहब ने कुछ रोशनी डाली है । लेकिन मैं यह कहना चाहता हूं कि इस में सब से बड़ी बात यह है कि इस देश में हम ने एक फंडेमैंटल प्रिंसिपल (मूल सिद्धान्त) को माना है और वह यह है कि जिस किसी को भी डिसलाज (विस्थापित) किया जायगा या उस की ट्रेड को खत्म किया जायगा उस को कम्पेन्सेशन दिया जायगा । इसी प्रिंसिपल (सिद्धान्त) के मुताबिक आप ने जब इंपीरियल बैंक आफ इंडिया को नेशनलाइज (राष्ट्रीयकरण) किया तो लोगों को कंपसेशन (मुआवजा) दिया एयर लाइंस को जब नेशनलाइज किया तो भी आप ने कंपेन्सेशन दिया । इस वास्ते आज यह बात नहीं कही जा सकती कि कम्पेंसेशन नहीं दिया जाना चाहिये । लेकिन यहां पर जो फर्क है और जिस बात पर हम जोर देते हैं वह यह है कि कम्पेंसेशन डिटरमिन (निर्धारित) करने का जो ढंग हो, जो तरीका हो वह फेयर (उचित)हो । गवर्नमेंट भी कहती है कि वह कम्पसेशन देने के लिये तैयार है लेकिन जो हम चाहते हैं वह वह है कि कम्पेन्सेशन फेयर और जस्ट होना चाहिये । जो कंपेंसेशन डिटरमिन करने का तरीका है वह एक टैक्नीकल सा तरीका है और आप ने जो कम्पेंसेशन की क्लाज (खण्ड) रखी है अगर उस को वैसे ही रहने दिया गया तो मैं समझता हूं कि जो कम्पेन्सेशन आप देंगे वह न देने के बराबर ही होगा । आप जानते ही हैं जब परमिट कैंसिल किये जाते हैं तो वे फिलमजी ग्राउंड्स (मामूली कारणों) पर ही कैंसल कर दिये जाते हैं और परमिट्स को इस बिना पर कैंसल नहीं किया जाता कि किसी जगह पांच हजार या दस हजार गवर्नमेंट को गाड़ियां चलानी हैं ।

अभी माननीय डिप्टी मिनिस्टर साहब ने कहा कि दो सौ रुपये की जो बात रखी गई है वह उसी कानून के मुताबिक है जोकि यू० पी० में है और जिस को कि यू० पी० की सरकार ने गवर्नमेंट आफ इंडिया की मंजूरी से बनाया है । इस वास्ते गवनमेंट उसी फार्मूले (सूत्र) को यहां पर भी लाना चाहती है और उस को यहां पर भी लागू करना चाहती है ।

अगर आप देखें तो आप को पता चलेगा कि सन् १९४६ में सैंट्रल असैम्बली में एक मोटर वीहिकल्स एक्ट (मोटर गाड़ी अधिनियम) आया था और उस के बारे में जो सिलैक्ट कमिटी (प्रवर समिति) बैठी थी उस ने भी यह सिफारिश की थी कि कम्पेन्सेशन को डिटरमिन करने का जो तरीका हो वह ऐसा होना चाहिये जो फेयर हो, जस्ट हो। फेयर कम्पेन्सेशन डिटरमिन करने का एक तरीका यह हो सकता है कि आप उस में ज्यूडिशरी (न्यायपालिका) को भी स्थान दें। एक आदमी ज्यूडिशरी में से लिया जा सकता है, एक आदमी गवर्नमेंट का हो सकता है और तीसरा सम्बन्धित पक्ष का हो सकता है। यह एक्ट जोकि १९४६ में पेश किया गया था पास नहीं हो सका क्योंकि वह लैप्स हो गया। इस के बाद सन् १९४७ में कंस्टिट्युएंट असैम्बली (संविधान सभा) आ गई। इस के बाद सन् १९५१ में श्री गोपालास्वामी अय्यंगर साहब ने जब रोड ट्रांस्पोर्ट के बारे में एक बिल मूव किया तो उन्हों ने यह आश्वासन दिया था कि जहां पर कम्पेन्सेशन का सवाल आयेगा वहां पर हम मुनासिब कम्पेन्सेशन देंगे। इस तरह से एक के बाद दूसरी और दूसरी के बाद तीसरी एश्योरेंस (आश्वासन) देने के बाद आज यह आर्गू (तर्क) नहीं किया जा सकता कि हम वह कम्पसेशन देना चाहिये जो मुनासिब न हो। यू० के० म भी रोड नेशनलाइज़ेशन (सड़क परिवहन का राष्ट्रीयकरण) हुआ है और वहां पर भी कम्पेंसेशन का जो फार्मूला बनाया गया था वह ऐसा था जोकि जस्ट था। यहां पर भी यह बात नहीं है कि बिना कम्पेंसेशन दिये ही हम रोड नेशनलाइज़ कर लेंगे। आप इस बात को मान चुके हैं कि आप कम्पेंसेशन देंगे। तो मैं चाहता हूं कि इस को डिटरमिन करने का जो तरीका हो वह ऐसा होना चाहिये जो ईमानदाराना हो और जिस के बारे में किसी को कोई गिला न हो। यहां पर बड़े आदमियों का सवाल नहीं है। आप ने ईमानदाराना तरीके पर चलते हुए इम्पीरियल बैंक को जब नेशनलाइज़ किया तो उस दिन जो शेयरों का भाव था उस के मुताबिक ही कम्पसेशन दिया। तो आज जब छोटे आदमियों की बात आती है, ऐसे आदमियों की बात आती है जिन की ज़िन्दगी इसी पर निर्भर करती है तो कोई दूसरा तरीका ही इस्तेमाल में लाने की बात सोची जाती है। जो तरीका आप ने रखा है उस के बारे में मैं यह कहने के लिये तैयार हूं कि उस पर चल कर आप पांच साल के बाद भी यह देखगे कि एक आदमी को भी कम्पेन्सेशन नहीं मिल सकेगा। इस वास्ते मैं ने एक एमेंडमेंट को मव किया है जिस के ज़रिये से मैं ने यह चाहा है कि एक ट्रिब्यूनल की स्थापना हो जिस म एक तो ट्रांसपोर्ट आप्रेटर्स का नुमाइंदा हो, एक गवर्नमेंट का नुमाइंदा हो और तीसरा कोई ज्यूडिशल आफिसर हो और ये तीनों मिल कर कम्पेन्सेशन के बारे म फैसला करें। अगर ट्रेड को नुकसान हुआ है तो उस के मुताबिक मुआविज़ा द और अगर आलटरनेट रूट (वैकल्पिक मार्ग) दिया जा सकता है तो कोई भी पैसा न दें। लेकिन अगर एक आदमी को ट्रेड म नहीं रहना है या आप के परमिट को कैंसल कर दिये जाने के कारण वह ट्रेड में नहीं रह सकता है तो उस हालत में वह जंक्स के साथ क्या करेगा। अब अमीर लोगों का सवाल आता है, एयरलाइंज़ को नेशनलाइज़ करने का सवाल आता है जहां पर आप का वास्ता बिड़ला और टाटा से पड़ता है वहा पर तो आप बुरी से बुरी चीज़ को भी उठा लेते हैं और कोई एतराज़ नहीं करते लेकिन जब एक छोटे आदमी का सवाल आता है तो अच्छी चीज़ को भी लेना आप पसन्द नहीं करते हैं। इस के हक़ में एक आर्गूमेंट यह दी जाती है कि आप स्टेट अंडरटेकिंग (राज्य उपक्रम) में कुछ रैशनलाइज़ेशन (वैज्ञानिकन) करना चाहते हैं। मैं यह कहने को तयार हूं कि नैशनलाइज्ड रोड ट्रांसपोर्ट में जिस किस्म की बुरी गाड़ियां

[सरदार इकबाल सिंह]

मिलती हैं उस किस्म की बुरी गाड़ियां शायद ही बाक़ी सारे हिन्दुस्तान में मिलती हों। आप डी० टी० एस० को ही ले लीजिये। यहां पर जिस तरह की गाड़ियां दिखाई देती हैं वैसी शायद ही हिन्दुस्तान में कहीं दिखाई देती हों। कहीं पर पांच और कहीं पर दस मिल जायें तो मिल जायें, नहीं तो नहीं मिल सकती हैं। इस का कारण यह है कि जो आफिसर इन को खरीदने लगते हैं वे पार्शल व्यू (एकतरफ दृष्टिकोण) ले लेते हैं या जिस तरह का नोट नीचे से पुट अप (पेश) कर दिया जाता है उस को मान लेते हैं। फिर भी मैं कहना चाहता हूं कि अगर आप जंक्स को उठाना नहीं चाहते तो न उठायें। अगर उस का कोई नुकसान हुआ हैं तो उसको पूरा आप ज़रुर करें। अगर उसका कोई नुकसान नहीं हुआ तो आप उस को एक पैसा भी न दें, मुझे कोई एतराज़ नहीं होगा।

इसलिये जो एमेंडमेंट मैं ने दी है उस को न मानने का सवाल ही पैदा नहीं होता। उस को तो आप को मान ही लेना चाहिये। उस में मैं ने एक तरीका सुझाया है जो इंसाफ पर मबनी है, न्याय पर मबनी है और उस पर चल कर फेयर कम्पेंसेशन दिया जा सकता है। मेरा खयाल है कि कम से कम आज कोई ३०,००० बस आप्रेटर्स होंगे। उन में से कई आदमी ऐसे हैं जोकि तीन तीन और चार चार मिल कर एक बस को ओन करते हैं। तो जो तरीका मैं ने बताया है उस के ज़रिये इसे आप छोटे आदमी के साथ न्याय कर सकेंगे न कि बड़े आदमी के साथ। इस वास्ते मैं चाहता हूं कि मेरी जो अमेंडमेंट्स हैं उन को मंजूर कर लिया जाय ताकि हम कह सकें कि सोशलिस्टिक पैटर्न आफ सोसायटी (समाजवादी ढांचा) बड़ों के लिये दिल में कभी हमदर्दी नहीं रखता और छोटों के इन्ट्रेस्ट्स (हितों) के खिलाफ नहीं जाता। बड़े लोगों को तो आप ने कम्पेन्सेशन दे दिया है। स्टेट बैंक आफ इंडिया के सिलसिले में आप ने १०० रुपये के शेयर के लिये २८०० रुपये रखे और १४०० रुपये टेक ओवर (लेने) करने के वक्त दे चुके हैं। इसी तरह आप ने एयर लाइन्ज़ के मामले में करोड़हा रुपये बतौर कम्पेन्सेशन दिये हैं। यहां पर तो उतने रुपये बनेंगे नहीं। रोड ट्रांस्पोर्ट में तो अगले बीस सालों में भी उतने रुपये नहीं देने पड़ेंगे। इस से तो यही जाहिर होता है कि आप दो किस्म के लोगों के साथ मुख्तलिफ़ सलूक करते हैं---उन के साथ दो किस्म का सलूक करते हैं। जब छोटों की बात होती है तो आप सब तरह के आर्ग्युमेंट्स देते हैं और उन को कुछ न देने की कोशिश करते हैं, लेकिन जब बड़े लोगों का सवाल होता है, तो आप कहते हैं कि अगर हम उन के साथ इन्साफ नहीं करेंगे, तो बिज़िनेस करने वालों में एतमाद पैदा नहीं हो सकेगा। इस का मतलब तो यही है कि बिज़िनेस से आप का मतलब सिर्फ बड़े आदमियों का बिज़िनेस है, छोटे आदमियों के बिज़िनेस को तो आप बिज़िनेस समझते ही नहीं हैं। आप को कोई इस तरह का माहौल पैदा नहीं होने देना चाहिये, जिस में लोग इनवेस्ट करना (रुपया लगाना) बन्द कर दें। मैं अर्ज़ करना चाहता हूं कि अगर आप चाहते हैं कि इस देश में अच्छी गाड़ियां हों, लोगों को ज्यादा फैसिलिटीज़ मिलें, वर्कर्ज़ को बोनस मिलें और काम करने वाले प्राफिट हासिल कर सकें, तो उस के लिये पहली शर्त यह है कि पुरानी और खराब गाड़ियों की रिप्लेसमेंट (बदल) हो और रिप्लेसमेंट तभी हो सकती है, जबकि काम करने वालों को यह विश्वास हो कि हम ने जो दस, बीस या चालीस हज़ार या एक लाख रुपया इनवेस्ट किया है, वह महफूज़ है और जब स्टेट इस काम को अपने हाथ में लेगी, तो हम को पूरा मुआवज़ा देगी। मेरी अमेंडमेंट्स फंडामेंटली इस के खिलाफ नहीं हैं। हम को इस के ढंग पर एतराज़ है। जब परमिट देने का सवाल आता है, तब आप जुडिशल आफिसर को मुकर्रर करते हैं और वह इसलिये कि आप

दुनिया को बता सकें कि आप हर एक के साथ एक सा सलूक करते हैं । ऐसी हालत में मेरी समझ में नहीं आता कि कम्पेन्सेशन डिटरमिन करने के लिये आप ऐसा फार-मूला बनाते हैं, जो न हिन्दुस्तान में कहीं लागू हुआ और न दुनिया में कहीं लागू हुआ । यू० पी० ने एक फ़ारमूला बनाया था, लेकिन आज तक वह लागू नहीं किया गया है । वह सिर्फ आफ़िसर्ज़ की मेज पर ही रहा और यू० पी० में कहीं भी उस के मुताबिक पैसा नहीं दिया गया । इसलिये मैं कहता हूं कि आप ने जो फ़ारमूला बनाया है, वह अनवर्केबल (न चल सकने योग्य) है और अनजस्टिफ़ाइड (अनुचित) है और वह उन लोगों के दिलों में कान्फ़िडेंस पैदा नहीं कर सकेगा, जोकि पैदा करना चाहियें । इस सिलसिले में मैं यह अर्ज कर देना चाहता हूं कि बड़े बड़े ट्रांस्पोर्टर्ज से मुझे कोई हमदर्दी नहीं है और न ही मैं उन के मुताल्लिक कुछ कहना चाहता हूं । मैं सिर्फ यह चाहता हूं कि पंजाब और दूसरी जगहों के इंडि-विजुअल ट्रांस्पोर्टर्ज—जोकि एक एक लारी के मालिक हैं या एक एक लारी के चार चार मालिक हैं, एक एक लारी के दस दस मालिक हैं—के इन्ट्रेस्ट्स का ख्याल रखा जाय । मैं सिर्फ उन्हीं की बात यहां पर कह रहा हूं । जिस ढंग से आप नें स्टेट अंडरटेकिंग्ज़ में ज़मीन लेने के सिलसिले में इन्साफ किया है, वही मेरी इन दोनों अमेंडमेंट्स में है । कम्पेन्सेशन देने का जो तरीका इस बिल में अख्तियार किया गया है, उस के मुताबिक तो उन लोगों को एक पैसा भी नहीं मिल सकेगा । बाकी दस हजार लारी आप पहले चला रहे हैं, अगली फ़ाइव यीअर प्लैन (पंच वर्षीय योजना) में पांच हजार और चला लेना मुश्किल नहीं होगा ।

इन अलफ़ाज़ के साथ मैं दरख्वास्त करता हूं कि मेरी इन दो अमेंडमेंट्स को मंजूर फरमाया जाय ।

Mr. Deputy-Speaker: Amednments moved.

(i) Page 45—

omit lines 32 to 34.

(ii) Page 46—

after line 27, *insert*:

"68GG. Notwithstanding any thing contained in sub-section (1) of section 68G, when in pur-suance of a scheme approved under section 68D, the applications for renewal of a permit are not entertained or refused, there shall be paid to the permit holder com-pensation which may not be less than two years' profits, to be determined by a tribunal consist-ing of one nominee of the permit holder, one representative of the State Transport undertaking and an independent chairman to be nominated by the Government.

68GGG. Whenever as a result of cancellation, modification or refusal to renew a permit in pur-suance of a scheme approved under section 68D the holder of the permit is unable to use his vehicles and other assets connect-ed with the business, the State Transport undertaking shall take over such vehicles and assets at an agreed price or a price as nearly as the market value, to be determined by a tribunal consist-ing of one nominee each of the permit holder and the State Transport undertaking and an independent chairman to be nominated by the Government."

Shri Bahadur Singh: I beg to move:

(i) Page 45—

for lines 32 to 34, *substitute*:

"(3) Notwithstanding any-thing contained in sub-section (1) of section 68-G compensa-tion shall be paid, when in pursuance of a scheme approv-ed under section 68-D, the application for renewal of a per-mit is refused to be entertained or not granted, to the permit-holder which may not be less than his two years' profits, to be determined by a tribunal consisting of one nominee of the permit-holder, one repre-sentative of the State transport undertaking and the Chairman

[Shri Bahadur Singh]

to be nominated by the Government.".

(ii) Page 46—

after line 27, *add*:

"(6) Whenever in pursuance of a scheme approved under section 68-D action is taken under sub-section (2) of section 68-F resulting in the cessation of use by the permit-holder of his vehicles and other assests connected with the business, such vehicles and assets shall be taken over by the State transport undertaking at a price to be agreed, or in case no agreement is possible, at a price which may be arrived at by a tribunal consisting of one nominee each of the permit-holder and the State transport undertaking and a chairman to be appointed by the Government.".

In this Bill there is no provision for the payment of compensation to a permit-holder when his permit is not renewed. If the permit is cancelled, then he is paid compensation, but if the permit is not renewed, the poor fellow is not given anything. I do not understand for what fault he is not paid anything. After all, he is doing a business, and he is earning his livelihood. At the expiry of the period of the permit, when the poor man comes with a request that his permit may be renewed, his request is refused; and when you refuse to renew his permit, you deprive him of his livelihood. So, you are not doing justice to him, if you do not pay him any compensation. As the Planning Commission have pointed out, more than 95 per cent of the persons engaged in the business of road transport are small individuals. And it is these small people who are going to be deprived of their livelihood by the refusal to renew the permit, because past experience has been that whenever the question of renewal of a permit comes up, Government do not renew it. That has been the experience in Bombay. Government try to take over all the routes, and the poor men are thrown on the roads. We must do some justice to them, and at least for the work that they were doing, they should be paid something.

Then, I have demanded that in case the permit is not renewed, the displaced operator must be paid compensation which would amount to not less than two years' profits which he was earning through his business. To determine that compensation I have suggested that there should be a tribunal consisting of one representative of the permit-holder (so that the displaced operator who is deprived of his business may not have any grievance), one representative of the State transport undertaking and a chairman to be nominated by Government.

I now come to amendment No. 20. In this amendment, I have suggested that when road transport on a particular route is nationalised, the persons affected must be paid compensation, and the assets of the concern should be taken over by the Government. If the assets are not taken over, then what will the poor man do with those things? When we nationalised other things, we did pay compensation to the persons affected. But here, no compensation is being paid. I do not understand why this sort of discriminatory treatment is meted out to these people. It has been stated so many times by so many non. Members on the floor of this House that the operators who are running this road transport business are mostly small individuals and poor people. When that be the case, I do not see any reason why Government should adopt this sort of attitude towards these people. No sound argument has been advanced by Government in support of their attitude.

Government should take over the assets of these people. They should have a committee or some kind of a tribunal to determine the price of the assets. If the things are of not any use, then Government may not take over, but if they are good and they are of some use, Government should take them over at a price to be determined. For determining that price, a board or a tribunal

should be constituted, and a representative of the operators should also be taken in on that board, so that he may also have a say in the determination of the price and express the viewpoint of the operators, and thus have no grievance that his views have not been taken into consideration.

If the assets are not taken over, then the operators who are displaced should be given some alternative routes, because, in the rural areas, especially, more transport facilities are needed.

If the Government think that they can earn some money by nationalising transport, they take it over. But where the Government do not think that they will earn money—actually the question whether there will be any earning is also debatable—, where the Government have spent some money in the rural areas and where they think that they will not earn much, then Government are not taking it over. Then at least give chance to those people who are hard workers. Give them permits for the rural areas and they will work it.

With these words I request the hon. Deputy Minister to think over this question and accept my amendments.

Mr. Deputy-Speaker: Amendment moved:

(i) Page 45—

for lines 32 to 34, *substitute*:

"(3) Notwithstanding any thing contained in sub-section (1) of section 68-G compensation shall be paid, when in pursuance of a scheme approved under section 68D, the application for renewal of a permit is refused to be entertained or not granted, to the permit holder which may not be less than his two years' profits, to be determined by a tribunal consisting of one nominee of the permit holder, one representative of the State transport undertaking and the Chairman to be nominated by the Government."

(ii) Page 46—

after line 27, *add*:

"(6) Whenever in pursuance of a scheme approved under section 68D action is taken under sub-section (2) of section 68F resulting in the cessation of use by the permit holder of his vehicles and other assets connected with the business, such vehicles and assets shall be taken over by the State transport undertaking at a price to be agreed, or in case no agreement is possible, at a price which may be arrived at by a tribunal consisting of one nominee each of the permit holder, and the State transport undertaking and the Chairman to be appointed by the Government".

Shri Raghavachari (Penukonda): I rise to oppose these amendments. I shall dispose of them one after another briefly.

Evidently our friends have not listened carefully to the exposition of the whole scheme, the purpose and the policy which the Government have kept before them as explained to the House. For instance, I will just take the amendment of my hon. friend, Sardar Iqbal Singh. He wants that in page 45, lines 32 to 34 should be omitted. This sub-clause simply reads thus:

"For the removal of doubts, it is hereby declared that no compensation shall be payable on account of the refusal to renew a permit under clause (a) of sub-section (2) of section 68F".

If this is removed, he gains nothing. This sub-clause simply makes the position as a result of the other sub-clauses clear. If this is omitted, it still does not mean that any compensation will be paid or will be claimable. Therefore, it has absolutely no purpose. It only makes litigation possible. That is so far as that amendment is concerned.

Then he advanced the argument yesterday about the small man and the

(Shri Raghavachari)

big man. As regards this, I tried to explain the position yesterday. It is unnecesary to repeat those things again.

As regards Shri T. B. Vittal Rao's amendment, he wants that when an alternative route is offered, the acceptance of the offer by the operator is unnecessary. In other words, he might have said that nothing is to be paid to him. That is consistent with the principle of confiscation without compensation. But what is the meaning of offering something which may not be accepted or which may not be acceptable? Of course, an alternative route being acceptable to the man is what is necessary. Suppose the license to operate on a very good route is cancelled and the man who is living in Cape Comerin is given a route in the Himalayas.

[SHRI BARMAN *in the Chair*]

13.24 hrs.

Dr. Rama Rao: He won't be given.

Shri Raghavachari: You imagine geographically inconvenient positions. You simply offer him and he must naturally say, 'I do not want it'. Better say, 'I will take away without compensation'. Therefore, the phrase 'and accepted by the holder of the permit' is very essential and in the interest of the people who are operators. Hence I cannot understand the amendment of the Shri T. B. Vittal Rao. Of course, he has been consistently making some observations about the doubling of the compensation as proposed and finally determined by the Committee. His general arguments are against compensation. I do not think at this stage I should repeat arguments in favour of compensation.

Then there is an amendment proposed by Dr. Rama Rao which is for the deletion of the proviso in lines 23 to 26 on page 44. The proviso reads:

> "Provided that no such scheme which relates to any inter-State route shall be deemed to be an approved scheme unless it has been published in the Official Gazette with the previous approval of the Central Government".

This proviso was put in with a view to ensure that the whole scheme is co-ordinated, particularly in the inter-State areas. With this end in view, the Centre has taken some powers to control and co-ordinate those things, I daresay, after consultation and with the consent of the States also. Otherwise, each State will take over the particular portion of a route which is in its areas and then create trouble. Then there will be no question of inter-State transport operating smoothly. Therefore, the very purpose of this scheme and the creation of this Commission is to provide facilities and convenience for public, not so much for the operator, though surely his interests are also involved. Hence, if the proviso is omitted, it simply means creating confusion in different States. So the proviso must be retained.

Then a general argument was advanced to the effect that paying compensation even under the terms permissible, as well as interference by the Commission or by the Centre in the administration of the States's powers, was really thwarting the useful existence of the States and curtailing their powers. The States have been given absolutely sufficient powers within their own State limits and these are meant only for the convenience of the public, both operating as well as using these vehicles. You say that paying compensation is putting some obstacles in the way of the States doing the work. The plainer method would be to say that you want to take away without compensation. That would be an honest way of putting it rather than saying that the States would be affected. This is how I feel. I therefore oppose this amendment.

As regards the amendment proposed for the formation of another committee consisting of this man and that man, it will only create a wheel within a

wheel and there will be no end to litigation. Of course, the principle that compensation should be paid may be accepted by the House even for acquisition of assets. That is another matter. But I would only request Members not to ask and urge in the name of the small man and not the big man for compensation to be paid for the acquisition of assets. The Minister very plainly told us that it was going to be the practice that whenever anything was nationalised in respect of passenger traffic, the States would invariably acquire and purchase assets by private agreement. It is not that they (the Government) are anxious to throw away useful material into a useless State. Therefore, compulsory acquisition is not here. That is all. It is not that things won't be acquired at all. If they are useful, they will be acquired. But once you make them compulsorily acquirable, the result, as everybody knows, will be that junk will have to be purchased and there will be charges of corruption against the officers who have to acquire them and ultimately there will be a heavy burden to the taxpayer involved in this transaction.

Therefore, arguments should be adduced in a realistic sense, as I put it even yesterday. Sir, I oppose these amendments.

Shri Kasliwal (Kotah-Jhalawar): Like my hon. friend who spoke before me, I rise to oppose all amendments.

There are two kinds of amendments to this clause, one relating altogether to the reduction of fair compensation and the other to increase compensation generally. With regard to the amendment of Shri T. B. Vittal Rao, the Joint Committee was of opinion that the compensation which was being given previously was not adequate. It is, therefore, only fair that the Committee should have come to the conclusion that the compensation so far as these things are concerned should be doubled from Rs. 100 to Rs. 200 and so on. Here I am in full agreement with the view of the Joint Committee.

Coming to the other amendments of my friends Sardar Iqbal Singh and Shri Bahadur Singh, I also oppose these amendments. It appears to me that there is some slight confusion with respect to the question of compensation. I submit that the question of compensation arises under three conditions. First of all, there should be a non-renewal of permit or there should be a case where during the pendency of currency of the permit the route is taken over by the State and, thirdly, where the terms of the permit are modified. So far as the modification of the terms of the permit and the taking over of the route during the currency of the permit are concerned, it has meen definitely mentioned that compensation-and adequate compensation-will be given. It appears to me that the arguments of my hon. friends, as their amendments also show, relate only to the question of compensation so far as non-renewal of permit is concerned.

First of all, I should say that the period of permit has already been increased by the Joint Committee. In the case of transport vehicles, or what you call goods vehicles, it is 5 years; and in the case of stage carriages, it is anywhere between 3 to 5 years. That is a very important factor which has to be taken into consideration when the question of compensation with regard to non-renewal of permits is taken up.

In this respect I want to point out to my friends the evidence. I do not know whether my hon. friends have read the evidence with regard to this particular matter. Here is the evidence of Shri Kundan Lal, the Secretary of the All-India Motor Union of which Shri S. K. Patil is the Chairman. This is what he says. In reply to a question of Shri Dabhi: 'In regard to non-renewal of permit, what should be the basis of compensation in your opinion?'. Shri Kundan Lal said 'I would like to submit that I do not want any compensation for non-renewal of permits.' This is the

[Shri Kasliwal]

evidence that was given before the Joint Committee and the Joint Committee came to the conclusion, on this evidence, that there should be no compensation so far as non-renewal of permits is concerned.

I do not know why my hon. friends have brought their amendments to the effect that compensation should be given if there is non-renewal of permits. It appears to me that my friends Sardar Iqbal Singh and Shri Bahadur Singh seem to have been influenced by a certain Act which goes by the name of the U.K. Transport Act of 1947. I find that the scheme of their amendments is in accordance, more or less, with section 47 of the U.K. Act.

Sardar Iqbal Singh: That is correct.

Shri Kasliwal: The U.K. Transport Act has also been referred to by one of the hon. Members in a minute of dissent. My friend, Sardar Iqbal Singh has said that my view is correct. My submission is that the entire scheme of our Motor Vehicles Act is something quite different from the U.K. Transport Act. The U.K. Act relates to railways, harbours, road transport and so many other things, whereas our Motor Vehicles Act is self-contained and comprehensive. I may say that section 47 of the U.K. Act relates only to the question of acquisition of goods vehicles. It has nothing to do with stage carriages or anything of that sort. It says that if at all compensation in a matter like this has to be given, then there should be a Tribunal and things of that sort. So far as section 47 of the U.K. Act is concerned, it has no application whatsoever to our Motor Vehicles Act.

There is another point which this Shri Kundan Lal has raised and which my hon. friend, Shri Raghavachari has already answered. While saying that he did not want compensation for non-renewal of permits, he, at the same time, said that he would like to have compensation for cessation of business. If an alternative route is given to the same operator, there is no cessation of business, although there is no non-renewal of permit. If his business is completely closed down, then, the hon. Minister has already said in his speech that the State will acquire his assets not by way of acquisition as such but by entering into private agreement with the operator. The State will take over his assets by paying reasonable compensation. In view of this, I oppose these amendments.

Dr. Rama Rao: I want to oppose amendment No. 17 and, in this connection, I want to clarify our position with regard to compensation. Our position has been either misunderstood or misrepresented. We do not oppose compensation as such if anything is taken. We always support reasonable compensation. Here when we take over the vehicles we must pay compensation. We support private negotiations as the hon. Minister has stated. If we lay down anything in the law, all assets and things will have to be taken, and, as has been mentioned by some hon. friend, only junk will be handed over to the State for compensation. Even if a permit is cancelled, there is already provision in the Bill. We only want the amount to be reduced a little.

What is the compensation our hon. friends want? It is not for taking away the vehicles, nor even for cancelling the permit but for not giving permits to certain owners who are running the transport services for a certain period. They want that the Government should be penalised for not extending the period. They want it as a hereditary right for one permit-holder to continue for ever. It comes to that. In fact, if the renewal is being refused to patronise somebody else, I can understand my friends' objection. I can even support that. But here it is specifically mentioned that the State will take it over and that we are nationalising the transport. If the State refuses renewal, they want compensation. For what act or service, I do not understand.

My hon. friend mentioned something about the State Bank. You will remember how we strongly felt that the compensation must be reasonable and that fanciful compensation should not be paid. So also in the case of the Airlines. It is our Congress friends who supported fanciful compensation for the former Imperial Bank and the former Airlines. We wanted reasonable compensation. Now, they bring in the name of the socialist pattern. Is it the socialist pattern that you want to punish the State for not renewing the permits? They want it in the name of the poor bus owners. There are not only poor bus owners; but, there are, as I have already mentioned many big owners with 350 or 400 buses.

Shri T. B. Vittal Rao: T. V. S.

Dr. Rama Rao: Therefore the reason why we want reasonable compensation for anything taken over is this. But, my friends desire the payment of compensation for not continuing the permit. No further argument is necessary. Our friends Shri Kasliwal and Shri Raghavachari have said enough about that.

Then, there is a further proposal for a tribunal on which one of the permit-owners should be a member. This is to decide how much of compensation is to be given. I think this is adding ridicule to the unacceptable proposal.

Pandit C. N. Malaviya (Raisen): Mr. Chairman, Sir also oppose these amendments. I agree with my hon. friends Shri Raghavaehari and Shri Kasliwal and I do not want to repeat those arguments. What I wish to point out is that it is not reasonable to compare our scheme with the scheme in U.S.A. or U.K., because in U.S.A. and U.K., the bias is towards private enterprise; their aim or objective for the time being is not towards nationalisation or towards the public sector. Therefore, it is no use giving arguments where the two schemes differ fundamentally.

Secondly. there is no question of discrimination in paying compensation to airlines or to the Imperial Bank. Here in the body of the Bill, if we read the amendments of section 63 and section 68, the whole scheme is that the Inter-State Commission is set up in order to develop and provide bus service in the interest of the public and economically. Then a scheme has to be framed and circulated, and objections have to be invited, and then everybody will have his full say about it. After making enquiries and coming to a particular decision, and at the same time considering all the aspects of the question of private enterprise on the inter-State route where the scheme has to be implemented and the bus service has to be provided, the State Authorities can use their powers. Therefore. there is no fear that if a person's licence is not renewed, his buses will go useless, because there are these possibilities: one is he will have an alternative permit; another is that there will be so many other roads where he can use his buses. If we allow private enterprise, then there is an open market.

The Deputy Minister has also pointed out in his speech that having in view the special circumstances, they will try to purchase, but it cannot be made compulsory that when you provide a scheme for nationalisation of transport, it should be compulsory also to purchase the buses. I do not think it can be made compulsory. It should be left open. The State Authorities or the Commission or the Government may purchase, but if the demand is somewhere else and there is a bigger demand from other people who are carrying on the business, they might purchase the buses. So, if we are not nationalising the whole transport service and there is scope for free enterprise, then we should allow a free market also. Where is the question then of giving compensation to the people whose permit has already expired? They have been given permits only for a particular period, and if that period expires, nobody can claim any compensation. If there is a free enterprise, and in the

[Shri C. N. Malaviya]

interest of the public, transport is nationalised, where is the claim for compensation? I do not understand it.

There is a demand from the public that it should be nationalised, because in certain cases the private bus owners have not done well and people are put to inconvenience. Therefore, there has been a demand or a pressure upon the Government to nationalise the bus services.

Regarding our friends on the other side, it is their general tendency to oppose nationalisation or allow profits to go into the coffers of the State. They want the profits to go into the pockets of individuals. We cannot accept such a proposition. We are now going ahead with our plans and we want to co-ordinate our railway and bus services. If we have to do that, it is necessary in certain cases to nationalise motor transport. Therefore, I oppose the amendments which seek to provide compensation for those whose time-limit expires or where the transport bus service is nationalised. The provisions which are already there are quite enough, and more than enough. I, therefore, oppose the amendments, and support the original clauses of the Bill.

Shri Alagesan: The three hon. friends who spoke opposing the amendments have made my task considerably easier, and I do not think that I can usefully add to the arguments advanced by them. I should only like to place before the House certain factual information.

The question of nationalisation was again brought up by two hon. friends and they said that we should go forward with the business of nationalising the transport service. The present position is that the Central Government have invested or rather the Railways have invested money in several Road Transport Corporations and undertakings sponsored by State Governments. The total capital invested by the Railways comes to about Rs. 505 lakhs, and this represents about 32·9 per cent. of the total capital invested. Perhaps that gives us an idea of the total amount invested in the nationalised transport undertakings. It comes to roughly about Rs. 15 or Rs. 16 crores. This will be sufficiently expanded in the course of the next five years, and the provision made in this regard comes to about Rs. 27 crores. Though that represents an amount more than Rs. 16 crores, the number of vehicles we will be adding to the nationalised undertakings will be about 5,000. The present number of vehicles is somewhere about 11,000, owned by the various State transport undertakings. To this fleet another 5,000 vehicles will be added. I think the House will agree that this is a substantial measure of expansion of the nationalised road transport services. There are no two opinions as to the necessity for further expansion. I have already explained the limiting factors, namely, want of sufficient resources. The question of priorities comes in and they have to be allotted for other and more urgent purposes, and can expand only to a certain extent. Barring that, there should be no doubt left in anybody's mind that we are hesitating in this matter or we are proceeding slowly or with more caution because we want to help somebody else. At the same time I should like to add that we do not hinder the private sector expanding. I do not see any conflict. As I said, in this matter, there is no question of private sector versus public sector; it is one of private sector cum public sector handling the job and doing it well. We should see that while we are anxious to expand the public sector, we place no impediments in the way of the private sector. I think this is a very healthy rule and it will be good in the interest of the country.

About the amount of compensation, I may say it was again referred to—I thought I had sufficiently answered that point. It is neither on the liberal side nor on the ill-liberal side. Perhaps it strikes a very happy *via media*.

I think Shri Vittal Rao pointed out that, supposing we paid compensation on the basis of 12 months, it came to about Rs. 2,400, perhaps about ten per cent, more or less of the cost of the vehicle. He said that it was a large amount and the State Government would object to it. I do not know how he came to that conclusion. This amount will be much less than the depreciated value of the vehicle. Supposing, it is a new vehicle. Certainly it is bound to be less than the depreciated value of the vehicle. If it is an old vehicle, perhaps the position may be different. Here the question arose whether we should provide—shall I say—a sort of a dispute-proof machinery for the computation of compensation, if not fool-proof. The hon. Members. Sardar Iqbal Singh and Sardar Bahadur Singh were pleading the cause of *chota admi* against a *bada admi* as they chose to call it. I do not think the amendments which they have given will help the small man. They want the matter to be left to the tribunal and the tribunal may make any amount of time in coming to a decision—days, months or years may pass and no compensation may be paid to the displaced operators. Here, we have made it quite straight and dispute-proof so that compensation is capable of being computed immediately and cash paid to the person concerned. I think we are helping the private operators more than it would be possible under the arrangement envisaged by Sardar Iqbal Singh and his friend, Sardar Bhadur Singh.

Certainly, people, whose permits have been cancelled, could be offered alternative routes and we have said that no compensation will be paid provided the alternative route offered is accepted by the other party. It will not be fair, as pointed out by Shri Raghavachari, to compel a person to accept some route in which he may not find it possible to operate and in case he refuses, to refuse him compensation.

As I conceive, the State Governments need not pay any compensation. Supposing they have to wait for a year to take over a route, there are ten buses plying in that route whose permits may expire after a year, they have only to wait for one year. Or, they may put one hundred vehicles and for ten more vehicles, they can wait for a year.

Shri T. B. Vittal Rao: That is postpone nationalisation; it amounts to that.

Shri Alagesan: It does not. The scheme that we are envisaging is a rational scheme and it will take into consideration all these factors—life of permits of the vehicles plying on a particular route, etc. It can be phased in such a way. Take for instance the Delhi Transport Service. We wanted to add 400 vehicles to the fleet. All the four hundred vehicles did not arrive one fine morning—all of them together. They come in batches, in driblets at times. It takes time to build bodies on the chassis. These things are not all over at the same moment. It is not as if the State Government decides to nationalise a particular route and puts hundred vehicles on the particular route all at the same time. It is not so. These things can and should be arranged in a convenient way not only to displace the private operators but also to give them alternative routes as and when more buses of the State transport undertakings arrive. It provides for such a convenient displacement and it is a wise arrangement. If my hon. friend looks into it carefully, he will see the reasonableness behind it. I would like the State Governments not to pay compensation at all. They have only to wait and that will be a waiting, not with vehicles on their hands, but without vehicles. They would have to notify the route or area and they have to wait for the vehicles to arrive. In the mean while, there will be no dislocation of service and the private operators will continue. As and when the State Governments get the vehicles, they can put them on the routes. It has been conceived in such a way.

[Shri Alegesan]

We have provided for alternative permits to be given to those whose permits have been cancelled or whose permits are modified. Those whose permits are cancelled or not renewed can apply, just like anybody else, for fresh permits on other routes which are open for private operators. Their experience and the fact that their permits had to be cancelled or could not be renewed on account of nationalisation, will certainly be taken into consideration by the transport authorities concerned and that may be one of the reasons why they may stand a better chance of getting the other route so that no assets go to waste or remain unutilised. We envisage such a position.

Payment of compensation for non-renewal of permits forms the subject matter of the amendments of my two hon. friends. We consulted legal opinion and we were told that non-renewal of permits does not represent any loss of business. Also, it is inherent in the grant of a permit and in the provision for renewal of a permit. Leaving alone the question of nationalisation, for various other reasons, a permit may not be renewed. The old Act gave a certain amount of preference to those whose permits are to be renewed against the new entrants. It was sought to be left out but then the Joint Committee agreed to retain it and so it has been retained. It is not possible for us to give compensation to those people whose permits are not renewed. I hope they will see the reasonableness of the stand that the Government has taken. I need not again go into the question of acquiring all sorts of assets that are owned by the private operators at the time of nationalisation. I have made it clear that, if they are useful ones—serviceable vehicles, etc.—the State Governments would negotiate with the particular operator and take them over at a fair price. These are the things that I want to say with regard to these amendments and I am sorry to say that I am not able to accept any one of them.

Sardar Iqbal Singh: When the State Electricity Undertakings Act was passed by this House, the manner of acquisition and payment of compensation was different. That is in the same manner as suggested in my amendment. May I know the reasons for adopting a different manner and method in this Bill? Liberal compensation was given there. If there is no difference in the nationalisation of this and that, why should there be this difference in the payment of compensation?

Shri T. B. Vittal Rao: Because, they are all British-owned and the British-owned undertakings get much more.

Shri Alagesan: I do not know whether they are foreign-owned as my friend opposite is suggesting. At the moment I am not able to recall the particular provisions of some other Act, nor can I explain them. I do not know those provisions. I can only say that, as far as this measure goes, the procedure that we have devised is the best under the circumstances.

14 hrs.

Shri A. K. Gopalan (Cannanore): What about Kolar?

Mr. Chairman: The question is:

Page 44—

omit lines 23 to 26.

The motion was negatived.

Mr. Chairman: The question is:

Page 45—

omit lines 32 to 34.

The motion was negatived.

Mr. Chairman: The question is:

Page 45—

for lines 32 to 34, substitute:

"(3) Notwithstanding anything contained in sub-section (1) of section 68G compensation shall be paid, when in pursuance of a scheme approved under section 68D, the application for renewal

a permit is refused to be entertained or not granted, to the permit holder which may not be less than his two years' profits, to be determined by a tribunal cansisting of one nominee of the permit holder, one representative of the State transport undertaking and the Chairman to be nominated by the Government."

The motion was negatived.

Mr. Chairman: The question is:

Page 45, lines 30 and 31,

omit "and accepted by the holder of the permit."

The motion was negatived.

Mr. Chairman: The question is:

Page 46, lines 5 and 6.

for "Two hundred rupees" *substitute* "One hunderd rupees".

The motion was negatived.

Mr. Chairman: The question is:

Page 46, lines 8 and 9.

for "One hundred rupees" *substitute* "Fifty rupees".

The motion was negatived.

Mr. Chairman: The question is:

Page 46.—

after line 27, *add*:

"(6) Whenever in pursuance of a scheme approved under section 68G action is taken under subsection (2) of section 68F resulting in the cessation of use by the permit holder of his vehicles and other assets connected with the business, such vehicles and assets shall be taken over by the State transport undertaking at a price to be agreed, or in case no agreement is possible, at a price which may be arrived at by a tribunal consisting of one nominee each of the permit holder and the State transport undertaking and a chairman to be appointed by the Government."

The motion was negatived.

Mr. Chairman: The question is:

Page 46—

after line 27, *insert*:

"68GG. Notwithstanding any thing contained in sub-section (1) of section 68G, when in pursuance of a scheme approved under section 68D, the applications for renewal of a permit are not entertained or refused, there shall be paid to the permit holder compensation which may not be less than two years' profits, to be determined by a tribunal consisting of one nominee of the permit holder, one representative of the State Transport undertaking and an independent chairman to be nominated by the Government.

68GGG. Whenever as a result of cancellation, modification or refusal to renew a permit in pursuance of a scheme approved under section 68D the holder of the permit is unable to use his vehicles and other assets connected with the business, the State Transport undertaking shall take over such vehicles and assets at an agreed price or a price as nearly as the market value, to be determined by a tribunal consisting of one nominee each of the permit holder and the State Transport undertaking and an independent chairman to be nominated by the Government."

The motion was negatived.

Mr. Chairman: The question is:

"That clause 62 stand part of the Bill."

The motion was adopted.

Clause 62 was added to the Bill.

Clauses 63 to 102 were added to the Bill.

[Mr. Chairman.]

Clause 1, the Enacting Formula and the Title were added to the Bill.

Shri Alagesan: Sir, I beg to move:

"That the Bill, as amended, be passed."

Mr. Chairman: The question is:

"That the Bill, as amended, be passed."

The motion was adopted.

SUPPRESSION OF IMMORAL TRAFFIC IN WOMEN AND GIRLS BILL

The Minister in the Ministry of Home Affairs (Shri Datar): Mr. Chairman, Sir, I beg to move:

"That the Bill to provide in pursuance of the International Convention signed at New York on the 9th day of May, 1950 for the suppression of immoral traffic in women and girls, as reported by the Select Committee, be taken into consideration."

Sir, this measure of social reform is one of great importance and, therefore, I am anxious that this Bill be considered and passed by both Houses of Parliament during this session. This matter was considered by the Select Committee. They have made certain changes and I shall briefly deal not only with the various points that have been introduced in this Bill by the Select Committee but also with the original Bill itself.

On the 9th May 1950 the Government of India ratified an International Convention for suppression of traffic in persons and of the exploitation of the prostitution of others. Now when this ratification took place further steps had to be taken by the Government of India. Ordinarily it is a matter within the jurisdiction or purview of the State Governments, but in view of the international character of the principles which have been embodied in this measure Parliament has been seized of this Bill under Article 253 and item 14 of the Union List, because according to these provisions it is for Parliament to legislate and it is also for Parliament to see that proper provisions are introduced in such a Bill in consonance with the International Convention. Therefore, this Parliament is now entitled to pass a measure for the purpose of suppression of prostitution as also for the other attendant evils.

Now, so far as this question is concerned, I may point out that there are a number of Acts—a very large number—which have been passed by the various State Governments in this respect, but it is felt that they do not go long enough and therefore it was considered that in place of the various Acts which are about thirteen or fourteen in different States, there ought to be a Central Act which lays down a uniform procedure for the purpose of checking, if not completely eradicating, the evils associated with prostitution. After the passing of this Bill by both Houses of Parliament all these Acts would stand repealed to the extent that they are inconsistent with the provisions of this Bill. That is the reason why this Bill has been brought with the consent of the State Governments and taking into account the views of a number of institutions, especially associations of women who have dealt with this question. I might also bring to the notice of this House a report of the Advisory Committee on Social and Moral Hygiene. This Committee was appointed by the Central Social Welfare Board and their report is of great and inestimable value because it has considered the whole question of prostitution. It has also considered the main provisions of this Bill because this Bill has been before the Parliament for two years. Before that also, Government took action on the basis of a Bill which was submitted to Government by one of the outside associations. After the Bill was received, we sent it to the various State Governments.

They gave their comments and in the light of those comments we made certain changes. The Bill was presented to this House. The Bill was also published in the Government Gazette. By that time we had also the advantage of considering the report of the Advisory Committee on Social and Moral Hygiene. There are also certain suggestions made by the Chairman of this Committee. All these have been duly taken into account and introduced in the provisions of this Bill.

Thereafter a Select Committee of this House considered the whole question. They have made a number of suggestions. Thus, we have today a Bill which has received a very large measure of attention not only from the Government but also from public associations, State Governments and also from a Select Committee of this House. Therefore, I am confident that the provisions of this Bill will lend themselves to the support of this hon. House.

With these preliminary remarks I should like to point out the main provisions of this Bill, as also the background against which this Bill has been brought forward. So far as the question of prostitution is concerned, the word "prostitution" has to be understood very correctly. It has a public aspect. It has also a private aspect, in the sense that it is a complete evil which has to be eradicated though, unfortunately, it has been extent, or prevalent in one form or the other, probably in all the countries of the world and in history for a considerably long period. So far as prostitution is concerned, we have to understand what prostitution constitutes and what are the methods by which prostitution can be checked or can be eradicated.

Now, as I have stated, it is an offence, naturally, in the relation between a man and a woman. If, for example, a man and a woman out of marriage, out of wedlock, live together then, naturally, a moral offence is created when that women co-habits with a person who is not her husband. That is popularly known as "illicit union"; it is an act of immorality; it is an act of unchastity.

But the question is whether such an act can be provided against by law. So far as the moral law of the land is concerned, unchastity or illicit association has always been a matter of great disapprobation by the public. But there are certain matters in which the law as such cannot go on. In certain cases the law can take into account the question of illicit conduct or the question of prostitution.

As it has been very clearly pointed out in the definition, prostitution by itself may or may not be an offence under the law, though it has been highly disapproved by the law, because there are other circumstances connection with prostitution. So far as the definition of the word "prostitution" is concerned, it will be found that a prostitute is a female who offers her body for promiscuous sexual intercourse for hire, whether in money or in kind. Thus, apart from illicit associations, some further elements are necessary in order to make an act one of prostitution. As I have already stated, in the case of prostitution promiscuity is one of the important elements. If a man and a woman meet and if, for example, that union is not sanctified by law or custom, it might be an immoral act but it will not be an act of prostitution at all, because prostitution requires a number of elements and these elements have to be present there. One element is, naturally, a desire for some gain, something like a hire. A woman, when for the purpose of gain—the gain might be material gain, or the gain might be in kind—offers her person to anyone, not out of love or any particular attachment to that person, but for the purpose of hire, for her advantage and also for the advantage of certain other persons who bring about such a prostitution, then there are elements which can be checked by law. There-

[Shri Datar]

fore, the law has to step in in such cases.

This question has been considered in this Report also, and very valuable observations have been made. They have admitted the position. This was a question which was taken up before the Select Committee. A number of hon. Members, especially women hon. Members, wanted the Select Committee to consider as to whether prostitution as such can be laid hands upon and made the subject of law or legal provision for the purpose of completely preventing its use. This is a matter which has a number of complicated aspects and this Committee, as I have pointed out, has also considered this question. Their observations may be found on page 39. There they have dealt with the question of prostitution and have come to this conclusion:

> "We are not however, saying that prostitution as such could be put to an end by the law, however carefully drawn and however vigilantly applied. But we should keep prostitution beyond easy access and if the average man must of necessity spend considerable time, effort and money to locate a prostitute and if there is real danger of his arrest in her company, about as much as can be done through law enforcement against prostitution would have been done. We must also have efficient enforcement of the law. We must also take account of the factor of the human personality of the officials and should ensure that a proper public policy does not become a vehicle of corruption or exploitation."

Thus, as I have stated, this is a fairly complicated matter. A question might arise whether it is open to a woman to follow it as a profession. We have got article 19(g) of the Constitution. This question also was considered by this Committee as to whether prostitution can be followed as a profession. I can point out here, so far as its ethical aspect is concerned it cannot be followed. But we have to take into account the provisions of the law. This Committee says that there might be certain difficulties if prostitution as it is was to be prevented by another law made by Parliament, because in that case it might be considered as violating the provision of article 19(g) of the Constitution, which says that any man is entitled to follow or practice any profession, or to carry on any occupation, trade or business subject to certain exceptions. Certain exceptions have been laid down regarding the qualifications for following a particular profession, or, certain restrictions have been laid down when the Government enters into certain trade or business. Beyond these two restrictions which have been laid down in the Constitution, it is perfectly open to any citizen of India to follow any profession that he or she likes.

Shri Shree Narayan Das (Dharbhanga Central): Has "profession" been defined, and would you include this profession?

Shri Datar: "Profession" has not been defined. A profession may be an immoral profession without being an illegal profession. We have to take those circumstances into account.

Shri Shree Narayan Das: The question is whether prostitution is a profession or not.

Shri Datar: The hon. Member need not interfere. I am just developing this point. He ought to understand that there might be a profession which might be immoral without being illegal. This question has been considered by the Advisory Committee also and they found certain technical difficulties. Whether it should be called a trade or a profession at all is itself a matter of some doubt. Therefore, we are faced with this position which has to be clearly understood. However regrettable and undesirable it might be, it must be

understood that prostitution as such has not been banned and it is very difficult to ban it. Suppose, a woman carries on prostitution in her own house. Let us take that aspect of the case. For example, there is a woman who receives visitors in her own house through some pimps or others and then she receives money and the man goes away. It is very difficult to deal with this because, after all, there are certain rights and these are the private rights of citizens which have been recognised by law. Therefore, if the law were to step in, as the Advisory Committee has rightly pointed out, it is likely to be an instrument of harassment or persecution besides being an instrument of prosecution. Therefore, these are the circumstances that have to be taken into account. There is such a thing as sanctity of one's private conduct. My friend Shri Shree Narayan Das would say that that sanctity would be there so long as good conduct is there. But the difficulty is that, after all, our machinery is—

Shri Shree Narayan Das: On a point of information. I would like to know from the hon. Minister whether the Government is in a position to ban this. Of course, the Government may say that it is difficult to ban this, but that is a different thing. But, for a Government to take shelter under a particular provision of the Constitution and to say that they cannot ban prostitution because prostitution may be a profession, is not good. As far as I have known, prostitution is never a profession.

Shri Datar: The hon. Member has thoroughly misunderstood me. I am not taking, nor are the Government taking, any shelter behind any provision. I am merely explaining the whole position. This question has been considered by a very important committee, and it has also come to the conclusion that prostitution by itself cannot be an offence. Therefore, I take strong exception to my hon. friend's suggestion that the Government is taking any shelter. The Government are extremely anxious to go to the fullest extent. But when a body of very important and responsible ladies in public life comes to the conclusion that prostitution cannot be an offence, then, that is a matter which has to be taken into account. It is perfectly open to this House to go to any extent in legislation as it pleases, but we have to take into account the difficulties in this matter. Therefore, I am explaining the whole position so far as prostitution is concerned.

As I have stated, the Advisory Committee considered this question and found that it was difficult to make prostitution by itself an offence. As they have rightly pointed out, if prostitution cannot, as at present advised, be made an offence not only on account of its technical or constitutional difficulties but also on account of other difficulties such as those of the possibility of harassment of certain persons, then, that is an aspect which we should not forget. That is the reason why I was pointing out to this House that though, as mentioned, it is difficult to make prostitution by itself an offence or to ban it by legislation, still, it is perfectly possible to restrict its scope or to check its progress by making the machinery for prostitution come entirely within the process of law. If we contract a machinery, then it might be very difficult for the persons to carry on prostitution. That is the reason why the Advisory Committee has stated in its report:

> "Therefore, as prostitution requires a machinery described above, it is hoped that by destroying this machinery, the effect on this evil profession will be to eradicate the opportunities for the exploitation of girls and women, and reduce the number who enter into this way of life".

This is the policy that we have followed so far as the provisions of this Bill are concerned.

Therefore, in connection with prostitution, the machinery is very wide. The machinery is wide in the sense

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that it brings in girls from different parts of the country and it brings in women from different parts of the country. Then there are certain places chosen by certain persons and these places are popularly known as brothels. These women are brought there. Then they are allowed to carry on the profession of prostitution. They get some money. Even so far as this money is concerned, very little of it remains with the women who unfortunately is the object of prostitution. More than half goes to the persons who are the go-betweens. Further, the woman is not treated well Then, a number of diseases are contracted by her through her association with persons, and it becomes a source of national danger. Ultimately, they impart or carry these diseases not only to their homes here but in the homes in the rural areas as well. After all, it is a highly shameless profession, a highly secretive profession. But in some cases what happens is, that attempts are made to carry on prostitution in or around places where it ought not to be carried on. There are religious places and schools also where openly attempts are made to carry on or practise this profession. That also can be stopped. Therefore, a number of persons who are interested in the practice of the profession, except the women, can be punished, and that is the reason why the law has said that it is perfectly open in a very effective but indirect way to stop this prostitution.

Prostitution has been definied as "a female who offers her body for promiscuous sexual intercourse for hire, whether in money or in kind". The definition of the word "brothel" has also been given. Brothel is an instiution which can be stopped. The law can lay its hands upon a brothel. The law can see that prostitution is not carried on here by a number of methods. One method would be to stop it altogether or to close it altogether. The second would be to punish those who are responsible for keeping a brothel—the brothel-keepers. Then in certain other cases, attempts can be made indirectly to affect or to neutralise what a brothel is or is likely to do. "Brothel includes any house, room or place or any portion of any house, room or place, which is used for purposes of prostitution for the gain of another person or for the mutual gain of two or more prostitutes". Therefore, in order to see that there is no harassment to any person, the definition is made very clear. Merely carrying on an illegal association or an immoral association would not make the house a brothel; because, though we can take action against a brothel, though we can take action against the brothel-keepers, the question is whether the definition should be so wide as to include any home or any place where a woman is carrying on prostitution. That is the reason why it has been made clear that it is a place "which is used for purposes of prostitution for the gain of another person or for the mutual gain of two or more prostitutes". This has been brought in with a view to make it possible for the Government by law to close such institutions and also to punish the persons who are in charge of those institutions.

These are the various objectives that the Government have in view in having this particular definition and in bringing within the purview of the law a number of persons. From clause 2 onwards, a number of offences have been mentioned. I would refer briefly to some of them. In clause 3(1), brothel-keeping has been made a penal offence for which punishment has been provided. Clause 3(2) deals with letting out premises for use as brothels. Sub-clause (3) also deals with the same thing. Here we have taken into account one circumstance. Sometimes it is very difficult to lay hands upon people or to punish certain acts without necessarily punishing those who are responsible for it. For example, it would be very difficult to prevent a landlord from

letting his house to a prostitute; but, we can prevent his letting the house for prostitution, because the prostitute also is a human being and she is entitled to hire a house and occupy it. Therefore, a very thin line arises according to which a landlord can let his house or premises to a prostitute, but not for prostitution. This has been provided for in this particular provision.

There is clause 4 by which acting as a pimp, a go-between who brings in customers and who naturally receives a share of the illegitimate income and lives on it, has been made a very grave offence, because there are certain persons who live on the earnings of woman or girl. In some cases unfortunately even the parents and other relatives also live on the income of the girl. In some cases the depravity of the whole thing is such that it is considered not a dishonourable act. We have provided that if a prostitute has a minor child, that child cannot be considered an offender, because till it reaches the age of 18, the child is entitled to live with the mother. If after attaining majority, the mother, brother, father or anybody lives on the earnings of this girl or woman, that ought to be considered as an offence, because living on the earnings by prostitution has been laid down, as I have stated, as a very grave offence under this law.

Then we have got what is known as "solicitation". Solicitation is a method by which a customer is attracted. Hon. Members may or may not have seen it, but in Bombay and other places, in the windows or on the door-steps, these unfortunate sisters of ours sit there in a very gaudy dress trying to attract customers. But this attraction has to be as imperceptible as possible, because they cannot invite the customers. This subtle attraction is perhaps more dangerous than open solicitation by a woman to another person. This also has been made an offence and provided for in clause 8.

We have clause 7 which punishes prostitution when it is committed in the vicinity of certain places of public interest. This is a very important point. When such acts of prostitution are committed, then they become a public nuisance of a very degrading quality. If near a place of sanctity or place where children study—hostels, schools etc.—these acts are committed, they have a greater debasing effect, because the minds of the young people are very easily affected and polluted. By such bad acts which are not only not proper, but which are highly debasing, the sanctity of the

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place is very seriously affected. That is the reason why it is stated in clause 7(1):

> "Any woman or girl who carries on prostitution, and the person with whom such prostitution is carried on, in any premises which are within a distance of two hundred yards of any place of public religious worship, educational institution hostel, hospital, nursing home or such other public place of any kind as may be notified in this behalf by the Commissioner of Police or District Magistrate in the manner prescribed, shall be punishable with imprisonment for a term which may extend to three months."

Here prostitution has been made an offence, because it is not ordinary prostitution between a man and a woman. It goes beyond the man and woman relationship; it becomes a matter of nuisance; the independency is so great that it is to be considered from the point of view of public nuisance. That is why, in addition to mere prostitution, we have provided for prostitution which is being carried on in a place where it ought not to be carried on. It becomes a public nuisance and this act has been made punishable.

In clause 5, procuring or importing a woman for prostitution has been

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made an offence. If a woman or girl has been detained for prostitution against her desire, such detention by the other persons who are interested in this so-called profession, is made punishable under clause 6.

Lastly, we have provided for punishing seduction of girls who are in the custody of guardians. If, for example, a young girl is in the custody of either a natural guardian or a guardian appointed by the court or appointed under some writing and if he abuses the confidence that the law or other persons have reposed in him or if he uses her for prostitution with a view to make gains for himself, that is made punishable by this provision in clause 9.

So far as the question of punishment is concerned, there are certain unusual features which had to be taken into account with a view to check prostitution. As I have stated, prostitution is an absolute evil and has to be checked. Whenever there is a prosecution and if the offence has been proved, the maximum punishment has been laid down under the Indian Penal Code as also in other penal provisions of the laws—State laws or Union laws. The exact punishment which should fit in with the facts of a particular case has been left to the discretion of the Judge or the Magistrate, as the case may be. Inasmuch as the prevalence of this evil is very wide, it has been thought that it would be better to provide for a minimum punishment, provided the offence is proved. Naturally, the judicial discretion is not taken away, but it is desirable in the interests of the society in general to provide for a minimum punishment. It may be kindly noted that it is an act which saps the vitality and the morality of the society; it should be looked at from the social point of view. If an offence has been proved, the offender ought to be punished adequately and not nominally or lightly. That is the reason why, in some of these cases which are of a graver kind, minimum punishment has also been provided. This punishment is in accordance with the degree of deliberation and with the degree of harm that the particular wrong is likely to cause or has caused to the person concerned in the first instance and to society in general.

Naturally, if a person persists or even after conviction repeats the offence, we have got provisions in the Penal Code under which there might be enhanced punishment in the case of some offences like theft, etc., Here also, we have made provision—our object is to make this Act complete in itself—for enhanced punishment in the case of some of these grave offences. If a man commits an offence and is convicted, if he remains behind the prison bar or pays the fine and again carries on that particular business,—a highly objectionable business—a further restriction on his movement, with a view to keep an eye upon him, has been provided by compelling him to inform about his address wherever he goes so that the authorities of law and order can have a check upon him and scrutinise whether he carries on the profession in a secret or clandestine way wherever he lives. That is the reason why provision has been made for his keeping the police officers fully informed of his address whenever he has been previously convicted.

There are other usual procedure laid down, as in the Criminal Procedure Code. For example, when it is found that a man is habitually committing this offence, then as under the security sections of the Criminal Procedure Code, preventive action can be taken by way of calling for security for good behaviour. In proper cases, under section 562, when a man has committed the offence for the first time, he can be admonished and he may be released on probation. All these provisions have been duly introduced. In respect of evidence also, certain provisions have been laid down. For example, if a certain set of acts are proved, certain presumptions can be drawn. This has

been done because the object is to punish all these people and not to allow them to get out of the clutches of the law.

There are also certain positive aspects so far as this Act is concerned. As I have said, naturally, the Act is a penal one. But, it is not sufficient that we deal with only the penal aspect. In some cases, you must have remand houses; when they are under trial, you must have shelter homes. In other cases, with a view to correct them, you should have Government-run institutions for the purpose of giving them real protection; not only protection from thirst and hunger, but protection from such bad company so that they may be completely weaned from this evil. While provision has been made under this Act for the purpose of establishing homes mainly by the Government, if private individuals come forward, they have to take our licences. Oftentimes we have received complaints that whenever there are such homes, the purpose of such homes is abused and these homes—it was complained in some cases, fortunately not many—kept by certain private individuals themselves had become brothels. Therefore, provision has been made that in all such cases, either the State Governments themselves or, in proper cases, the Central Government should open protection homes or if a private body of persons is to be recognised, licence has to taken. These protection homes have to be properly run.

In all these cases, either in connection with the investigation of offences or in connection with the opening and maintaing of such homes, we have laid down this policy which the Bill had in view, but which has been very prominently mentioned by the Select Committee, namely, inasmuch as the help of women would be of the greatest use not only for the purpose of detecting such offences and for the purpose of weaning such unfortunate sisters from a career of sin that they have been carrying on, there ought to be women associated with such protection homes. Later on, the House will see, we have provided for women police officers to take charge of this work or to be associated with the detection or investigation of crimes wherever that is possible. Not ordinary police officers, but very high police officers are to be designated as special officers for the purpose of detecting and investigating crimes committed under this Act. Then, there will be an Advisory body associated with such police officers for the purpose of helping them in finding out and investigating such offiences. In addition to this, we have got provisions for the purpose of rescuing of girls, for the purpose of search, etc. Whenever a complaint is received that girls have been detained, orders can be taken, investigation can be made and search can be instituted for the purpose of getting these girls duly rescued. We have also made provision for making offences under this Act cognisable. Oftentimes, if an offence is non-cognisable, unless we have the orders of the magistrate, it becomes very difficult to carry on such work. Persons who live on prostitution are a set of extremely clever people and the slightest hint that the machinery of law and order is going to be set in motion is sufficient to give them the clue and immediately all attempts are made to see to it that nothing is done. About two years ago, here, for example, we had a search one day. We had to keep the greatest amount of secrecy. A very large number of police officers had to be improvised. At about midnight, a large number of police officers and constables, in all about 600 or 700 surrounded certain black spots in Delhi and ultimately we were happy to recover as many as 140 unfortunate girls who were being used as prostitutes and on whose unholy income a number of families were feeding. That is the reason why certain powers have to be given to the police. Care has to be taken to see that an advisory body of women is there. In all cases where a

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police officer wants to order search, he has to put down the grounds for his belief that an immediate search is necessary. Otherwise, a magistrate also can be approached. These are the other provisions which have been introduced in this Bill.

There is also a provision according to which it would be open to a magistrate or court to order closure of brothels because that is the breeding place of all this evil associated with prostitution. That also has been provided for. So, these are the various matters which have been provided for.

So far as the details are concerned—details as to how a licence is to be issued, how certain acts have to be carried out in consonance with the provisions of this Bill etc.—all these will be worked out, and provision has been made in one of the clauses for making rules. These rules will be naturally in consonance with the provisions of this Bill, and inasmuch as this Act is to be implemented by the State Governments mostly, these rules will be made and placed on the Tables of the legislatures in the various States. So far as the Union Territories are concerned, if the Government of India makes rules, naturally they will be placed on the Table of Parliament.

Thus it will be seen that this is one of those important pieces of legislation which have got one great object in view, namely the control, if not the complete eradication, of this great vice of prostitution. As one of the Members of the Select Committee has pointed out, this is a matter which requires immediate legislation in the light of the circumstances that are prevailing in the country, especially in the present urban conditions. Take a place like Bombay, Calcutta or Delhi. Unfortunately, agencies have been established and young girls are brought under false pretexts or promises from surrounding areas, from the hilly areas also, and then they are made to live a life of shame. They are brought here under certain attractive promises. They are promised an easy life of ordinary human comforts, or perhaps more than ordinary human comforts, and then after they are brought here, they are deprived of the very money that they earn except a very small portion. They are not allowed to go back easily as they would like to because after coming over to such urban areas they become completely repentant, but the time is past and therefore they have to carry on most reluctantly in some cases this particular vice of prostitution. Therefore, it is a great social evil.

Some objection is likely to be taken stating that merely by law this evil or sin cannot be uprooted. I would completely agree with it. After all, the law has to be made as strong as possible, and the law will be properly and vigorously implemented. About that also let not the hon. Members have any misgivings. But ultimately we require the co-operation, very large co-operation, of the people. And unless we have got the co-operation of the people, it would be very difficult to achieve the object that the Government have in view, namely the complete suppression of the vice of prostitution.

Fortunately, we have got a number of women's associations which have come forward and which are prepared to help the Government to the fullest extent. In fact, as I have stated in the beginning, the present Bill ultimately can be traced to a model Bill which the Government received from one of these associations. It passed through various stages as described by me, and I am quite confident that we shall have the fullest support of the public so far as suppression of this evil is concerned.

This evil has been sapping the energy and vitality of our people, and therefore we must take full care to

see that it is brought immediately under control so that our men and women shall be what they ought to be, namely great citizens of India completely free from vices like this.

Mr. Deputy-Speaker: Motion moved:

> "That the Bill to provide in pursuance of the International Convention signed at New York on the 9th day of May, 1950 for the suppression of immoral traffic in women and girls, as reported by the Select Committee, be taken into consideration."

The total allotment of time is five hours. May I have the sense of the House as to what time it would like to spend in general discussion?

Pandit K. C. Sharma (Meerut Distt.—South): Four hours.

Shri Datar: Three and two hours respectively.

Shri Raghubir Sahai (Etah Distt.—North-East *cum* Budaun Distt.—East): Four hours for general discussion.

Mr. Deputy-Speaker: There are some amendments.

Shri Raja Ram Shastri (Kanpur Distt.—Central): Four hours.

Mr. Deputy-Speaker: If that is the sense, we shall have four hours for general discussion.

Shrimati Jayashri (Bombay-Suburban): I congratulate our Minister who has taken all this trouble to bring forward this legislation which I should say has been long overdue. I remember that Shri Rajagopalachari, when he was Home Minister, had moved a resolution about this International Convention in 1951. Since then this question is before the House and after nearly five or six years this legislation has been introduced in the House. I hope it will soon be passed into an Act.

I welcome this measure which is based, as I said, on the International Convention. The relevant article of the Convention reads:

> "The parties to the present Convention agree to punish any person who to gratify the passions of another procures, entices or leads away for purposes of prostitution another person, even with the consent of that person."

On the basis of this article we have framed this present legislation.

As the Minister also explained, under this article it is difficult to ban individual prostitution. Still, even if, by the help of this Act, we are able to to stop the trafficking in women and girls, I would consider it a great achievement, because it is this trafficking that is really necessary to be stopped, because even if we attempt to stop individual prostitution, we cannot altogether get rid of it.

This legislation I would say can be called a hygienic reform which will tend to encourage the highest public and private standards of morality and family life. It also aims at securing recognition of an equally high standard of morality for both men and women. Till now there were different standards of morality for men and women, but I am glad to say that under this law we are trying to have one standard for both men and women. This will go a long way in eradicating this evil. As the hon. Minister had already explained in clase 7, we have laid down that "a visitor to the place also shall be punishable..." In this way, we are fulfilling the desire of the people to punish the women as well as the persons who visit the prostitutes. All this time, we used to punish only the prostitute, but the man who visits the prostitute commits as much offence as the prostitute.

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I take this opportunity to congratulate the Advisory Committee which has taken the trouble of touring the

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country and giving us valuable facts about this moral and social hygiene in our country. They have also stated in their suggestions that the society should view both the prostitute and the visitor to the prostitute with disfavour. Here in this Bill also, we are punishing the visitor.

I do not want to deal at length with the causes, because we all know that there are many causes, which bring about this evil, especially the ignorance and also the society; then there are the child marriages and dowries. Our customs force women to lead this immoral life. So it is the duty of the society to eradicate all these customs which bring about this immoral life in our society.

I would read out one or two passages from the Moral and Social Hygiene report They also state as follows:—

> "In a vast country like India with diverse races, customs, traditions, cultures and religions, investigation and research play a very important part, though it has to proceed slowly because of the difficulties inherent in investigating conditions of social vice. It is only by quiet and persevering study of local conditions, taking into consideration all the relevant facts, with regard to religious practices, marriage customs, joint family system, child marrige and child widowhood, excess of male over female population and vice versa; methods of engaging industrial labour, the presence in towns of large floating populations seperated from normal family life; the introduction of modern recreation, including films, dancing-halls and night-clubs into a culture unprepared for such innovations; the lack of education; economic distress and the consequent desire to make money quickly and easily, all these factors have to be taken into consideration in making a survey of the local situation."

Then we shall go to the clauses. In the Bill, I am glad to find that we not only want to punish these women but we also want to rehabilitate them. We are going to provide protective homes. This is very necessary. The other day I had a talk with some of the women delegates of UNESCO. I inquired from one of the delegates, the conditions in that country, especially in Denmark. I also discussed this matter with one lady from Russia but they all told me that they have no problem about prostitution there because they provide work to women; there are homes in which work is given to women. This question is more an economic question also, and if work is provided, I do not think that women would like to lead such an immoral life. So the first thing to be done is to provide protective homes. Proper conditions will be maintained there for training these women and also trying to see that when they go out of these homes, they will be able to earn some livelihood, so that they need not again enter the same life. That is the real thing to be done. While investigating the work of after-care, these cases should be taken by the social welfare institutions, because although the law will be there, after these women are released from these homes, it is the duty of the society to see that they again do not go back to the same life. This is an important thing which the women's institutions and especially the Social Welfare Board should take up. The Social Welfare Board has done a very good work in appointing this advisory committee and after reading the report, I find that they are going to have these homes in various places, especially in big cities like Calcutta, Bombay and Delhi. I consider that there should be proper homes, where women will be protected and looked after and also they should be trained to do some work, so that they can earn their livelihood.

I am glad that uniform rules are going to be introduced for all these homes as this report also tells us there are bogus homes, which are exploiting women. Our attention has been drawn to so many *Vidhva Ashrams* and *Anathashrams* which are practically used as brothels. I am glad to find that in this Bill we are bringing in these protective homes, so that no other authority can open homes which can be run without proper licence. That is also an important thing. Besides this, I should think that there should be proper authority to put this law into effective action and for this, I am glad that we have made provision of what I would call "special police squad". I am glad that our request has been taken into consideration by the hon. Minister. He has also made a provision for women police which I think is very important. When we have to deal with women, it is better that most of the police should be women. Further I am glad to find that when the cases are going to be heard, there will be women advisers as witnesses, because as we are told in this report, it is very difficult to get proofs in these cases. If these women advisers are there as witnesses, they will be able to find out the real facts and they would also help the magistrate. So in this way we are trying to make this law effective. We know that many States had a similar law, but all this time, it was not effective. Now we are trying to have a uniform law, which will be more effective and help in eradicating this evil.

I do not want to take up the time of the House any more. I would again say that I am glad that in this law we are going to make provision to cover a lacuna which is there in many statutes which are already ready there in the States. As the Minister has stated, we are going to have one uniform law now for the whole of India, for which I congratulate Government.

I hope that Government will see to it that this measure is effectively put into action. I hope that the other House also will be able to pass this Bill during this session, and this Bill will become an Act very soon.

Once again, I congratulate the Minister. I have got one or two amendments, which I shall move when the proper time comes.

Shri Raghubir Sahai: As has already been pointed out, this Bill has been brought forward in pursuance of the International Convention which was signed in New York on 9th December 1950. It has a very laudable object in view. I am really sorry that six years should have elapsed before bringing forward a Bill of this nature; perhaps, difficulties might have been placed in the way of Government in bringing forward a Bill of this kind. But, better late than never, this Bill has now, after all, come before this House.

The Minister has already drawn our attention to some of the important features of this Bill. I would not recapitulate all of them, but I would only say that the main provisions of this Bill deal with suppression of the brothels where prostitution is carried on, punishment of those persons who live on prostitution, punishment for prostitution carried on in the vicinity of public places, and lastly, we have the very important provision in regard to the setting up of protective homes. Everyone of these and others that are in the Bill is a very salutary provision. But, as has been pointed out already by the Minister, they go only to a limited extent in eradicating this evil. They do not attempt to root out the evil of prostitution as such.

Although I am in full accord with the object in view as well as with many provisions of the Bill, yet I am feeling rather hesitant to think that the expected results would come out of this Bill; I wish they could, but I fear that they may not.

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It is quite true, as has been pointed out in the very admirable *Report of the Advisory Committee on Social and Moral Hygiene*, that this is a very old profession. My learned friend Shri Das took objection to the use of this word by the Minister when he was speaking. But I think that although the word 'profession' may not have been defined anywhere, yet everybody understands what 'profession' means. Profession is something which is carried on for the sake of gain. According to that, this is an old profession, and it has been carried on from times immemorial.

I found in Kautilya's *Arthashastra*, a book written something like two thousand years ago, that there was a definite chapter entitled *'Ganikaadhyaksha'* which means 'Superintendent of the Department of Prostitution.' So, it is clear that in those days, this profession was recognised, and a particular officer was appointed to regulate prostitutes and to control the profession. I am not here to dilate over the various provisions contained in that chapter, I just wish to point out that this is, no doubt, a very old profession.

Dr. Rama Rao (Kakinada): May I ask one question of the hon. Member? Was that department to encourage the profession or to suppress it?

Shri Raghubir Sahai: It was neither to encourage nor to suppress, but to regulate.

Mr. Deputy-Speaker: It was an old profession. As to whether the superintendent was there to regulate or to check, we need not bother.

Dr. Rama Rao: I just wanted to know for the sake of information.

Shri Jaipal Singh (Ranchi West—Reserved—Sch. Tribes): Does the hon. Member say that there should be a separate Ministry for this?

Mr. Deputy-Speaker: I do not know what will be the fate, if that demand is put by the hon. Member. Is it a demand?

Shri Jaipal Singh: No. I only wanted to know whether he was recommending the setting up of a separate Ministry.

Mr. Deputy-Speaker: No, he was not.

Shri Datar: He was just giving the historical perspective.

Shri Raghubir Sahai: I am not recommending anything like that.

I am only saying that we should think for ourselves what the effects of this legislation are going to be. As I stated just a little while ago, I am rather doubtful about the results of this Bill; I wish that my fears may be unfounded, but I do think that as a result of the passing of this legislation, we shall be helping the profession of prostitution going underground. This is not something in the nature of a figment of imagination but my fear is borne out by the testimonies of bodies whose opinions should be considered with a certain amount of respect.

All over the world, I find that there is a tendency of this profession of prostitution taking the shape of promiscuity. It is true that in pursuance of this International Convention which was signed in 1950, legislation was passed in various countries, especially in those that were parties to this Convention. But how far they have succeeded in putting down this evil of public prostitution is very doubtful to say.

The *Report of the Advisory Committee on Social and Moral Hygiene* has often been quoted in the course of this debate. If we look at page 16 of that report, we find:

> "Suppression of brothels meant that the evil of prostitution had spread all over the cities, for, the inmates of the houses, which in the old days were located in certain recognised streets, had now set up their establishments in other parts of the city. Through this diffusion a new class of prostitutes had de-

veloped—undeclared, clandestine, on wnom the police authorities could have no check.".

This is not only the view of the Advisory Committee on Social and Moral Hygiene, but also this is the view which we find in the *Encyclopaedia of the Social Sciences* (vols. XI —XII, page 559):

> "The city has not only concealed the supply but increased the demand. The breach of home ties and the anonymity of city life with its absence of the restraining check of neighbour's opinion, combined with low wages and loneliness, conduce to meretricious association rather than to marriage. Prostitution is not a disease of the social organisation; it is only a symptom of the disease."

With your permission, Sir, I will make one or two more appropriate quotations from the *Encyclopaedia Britannica*. In vol. 18, page 601, we find this :

> "But today prostitution is essentially an urban problem and the vast size of modern cities makes clandestine prostitution so easy that the licensed houses hold only a small proportion of the total number. What proportion it is impossible to say; the estimates freely made are mere guesses".

Then in *Encylopaedia America*—last but not least—we find in vol. 22, page 670 :

> "Is prostitution diminishing? Yes and no.
>
> It is reported that the percentage of American males frequenting prostitutes after World War II is almost precisely the same as after World War I. But it is also said that the frequency of contact with prostitutes is reduced. The reduced frequency is accounted for, at least in part, by extra-marital inter-course with non-prostitutes—with 'amateurs'."

Lastly, this very book says :

> "Some 69 per cent. of the total white male population, it is reported, ultimately has some experience with prostitutes".

This is about America.

So my contention is that by passing this legislation—it ought to be passed; it is a very innocent form of legislation—we should not labour under the delusion that we shall be tackling the problem of public prostitution in a satisfactory way even as the hon. Minister has pointed out. I believe it is a delusion.

My hon. Lady friend, Shrimati Jayashri Raiji, in the course of her speech said that she met some of the delegates of UNESCO and when she asked them about the state of affairs in their own countries, they all said that there was nothing of prostitution. I wish things were like that. It is claimed in Czechoslovakia that prostitution has gone. It is also claimed in China that prostitution has gone. But it is very difficult to believe that prostitution has gone in those countries, as it has not gone all over the world. It has been repeatedly pointed out that prostitution cannot disappear merely by passing a piece of legislation either of this kind or of any other kind. It is a social evil and should be tackled in a proper way. Legislation is proper, but it is not tackling the whole problem. The proper way is when non-official bodies come forward to preach something of morality to our young men.

I am afraid this disease has spread all over the country as a result of Western civilisation. I may be right or wrong, but I think that it is the result of Western civilisation.

Mr. Deputy-Speaker: Just now the hon. Member was referring to the 'old profession'.

Shrimati Jayashri: May I clear what I said? I said that trafficking was not there.

Shri Raghubir Sahai: It is a question of loosening of morals, and I think

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until and unless our morals are re-established, this evil cannot be extirpated root and branch. This reform of society cannot be accomplished by any legislation by this House, however great and august it may be. This is with regard to the general provisions of the Bill.

Coming to clause 12 of the Bill, I have had my differences with the Select Committee and I have also tabled an amendment in this regard. When you are enacting a legislation of this kind and when you do not want to show any kind of delicate feelings towards an offender of these provisions, meted out full punishment. Why go in half-heartedly? In clause 12, you are dealing with security for good behaviour from habitual offenders. Now, habitual offenders should be dealt with properly and strictly, but this clause leaves a number of loopholes. It says:

> "When a court convicting a person of an offence under this Act finds that he has been habitually committing, or attempting to commit, or abetting the commission of that offence or any other offence under this Act.."

This portion is entirely unnecessary. I say it is difficult to prove 'habitual'. Every one who knows something about law courts—and I appeal to your experience also, Sir—knows that it is very difficult to prove 'habitual'.

Mr. Deputy-Speaker: Suppose I inform the hon. Member that I have absolutely no experience?

Shri Raghubir Sahai: Then I will fall back on the observations made in the Report. The Advisory Committee on Social and Moral Hygiene themselves feel that by making such a provision you make conviction difficult. Their Report says:

> "The police maintain long and detailed records of all the types engaged in the trade, the women, the procurers and the housekeepers. But when the matter comes to a court, it is difficult to prove that a prostitute is a prostitute or a brothel is a brothel. The words 'habitually,' 'knowingly' and 'mainly' create difficulties. To ask for evidence of promiscuity is to ask for the impossible, and if it is produced, the court will be unwilling to accept or act upon it, but its absence is invariably regarded as destructive of the prosecution case".

So my humble submission is that we leave out these words and leave the discretion entirely to the court. If from the material on record the court comes to the conclusion that he is a habitual offender, let him be dealt with accordingly. But why throw the burden of proof on the prosecution that he is a 'habitual' offender? I think these words are unnecessary and they should be deleted. With these few words, I support the Bill.

श्री राजा राम शास्त्री : माननीय उपाध्यक्ष महोदय, वेश्यावृत्ति को रोकने के लिये जो बिल हमारे सामने पेश है, उस का मैं स्वागत करता हूं । जैसा कि कहा गया है और ठीक ही कहा गया है कि इस रोग का पूर्णतया अन्त करना तो बहुत कठिन है लेकिन अधिकाधिक जो कुछ भी किया जा सकता है वह इस रोग की रोकथाम करने के लिये किया जाना चाहिये । जहां तक मैं समझ पाया हूं, यही इस बिल का उद्देश्य है ।

संसार के करीब करीब सभी देशों में ऐसे कानून बनाये जाते हैं जिन से समाज को ज्यादा शुद्ध और पवित्र रखा जा सके । लेकिन जैसेकि इस सदन में कहा गया है आप किसी भी संसार के कोने में चले जाइये सभी जगह इस बीमारी को फैले हुए आप पावेंगे । जिस चीज को हमें देखना है वह यह है कि यह बीमारी फैलती क्यों है और इस का कौन सा मुख्य कारण है । यह मैं नहीं मानता हूं कि यह बीमारी पश्चिमी

सभ्यता की देन है । चाहे पश्चिमी सभ्यता हो, चाहे पूर्वी सभ्यता हो आप किसी भी मुल्क में चले जाइये सभी जगह किसी न किसी रूप में हमेशा ही यह बीमारी रही है । इस का मतलब वह नहीं है कि हमें इस को अनिवार्य मान कर चलना होगा । आज कल जितनी भी सरकारें हैं वे सभी इस बात का प्रयत्न करती हैं कि इस बीमारी से समाज की रक्षा की जाय । यही प्रयत्न इस बिल के जरिये से किया जा रहा है । मैं तो इस बात को मानता हूं कि वास्तव में वेश्यावृत्ति का एक मुख्य कारण आर्थिक है । यह सही है कि इस के और भी कारण हैं लेकिन मैं इस कारण को मुख्य कारण मानता हूं । जब तक समाज की मौजूदा अवस्था जो है वह कायम रहती है, देश में जो गरीबी फैली हुई है, उस का अन्त नहीं होता, माताओं तथा बहनों को अपनी उदर-पूर्ति के लिये दाने दाने के लिये भटकना नहीं पड़ता, तब तक उस स्त्री के पास और कोई चारा नहीं रह जाता सिवाय इस के कि वह अपना शरीर बेच कर अपनी उदर-पूर्ति करे । यह भी देखने की बात है कि जैसे जैसे इस बीमारी की रोकथाम करने की कोशिश की जाती है वैसे ही वेसे किसी न किसी रूप में यह अपना स्वरूप बदल कर हमारे सामने आती रहती है ।

मुझे अभी हाल ही में संसार के कुछ देशों का भ्रमण करने का मौका मिला है और जो कुछ मैं ने वहां पर देखा है उस को मैं यदि यहां पर पेश करूं तो यह अनुचित नहीं होगा और जो चीज विचाराधीन है उस पर भी काफी प्रकाश पड़ेगा । रूस और चीन की बात यहां पर कही गई है । मैं भी रूस और चीन में गया हूं और वहां पर मैं ने इस सवाल पर वहां के नेताओं से बात-चीत की है और उन से पूछा है कि उन्होंने अपने यहां से इस वेश्यावृत्ति का कैसे अन्त किया है । गुप्त रूप से किसी रूप में यह वहां हो, यह मैं नहीं कह सकता । लेकिन बाजारों में, सड़कों पर या छज्जों पर बैठी हुई मुझे एक भी वेश्या न चीन में और न ही रूस में दिखाई पड़ी है । मैंने रूस के लोगों से पूछा और उन्हों ने मुझे से यह कहा कि जितने भी सुधार के काम उन्होंने किये हैं, उन सब में अगर कोई सब से कठिन काम था तो वह यही था । इस का कारण यह है कि जब वेश्याओं को इस पेशे को छोड़ने के लिये कहा गया तो उन्हों ने इन्कार कर दिया क्योंकि यह मानी हुई बात है वे अपनी आमदनी को छोड़ने के लिये तैयार नहीं थीं और अगर वे छोड़तीं तो वे क्या खातीं । अगर आप केवल नैतिकता का ही उपदेश दें और कोई दूसरा प्रबन्ध न करें तो आप को कामयाबी नहीं मिल सकती है । इस वास्ते वहां की हकूमत ने यह किया कि अगर किसी वेश्या की आमदनी १०० रुपया महीना थी तो उस को सौ रुपया महीना दे कर ही यह कहा कि फलां जगह जाओ और वहां पर जा कर यह काम सीखो और यह जो पैसा दिया जा रहा है यह काम सीखने के लिये दिया जा रहा है । जब उन्हों ने सरकार से पैसे ले लिये तो वे उस धंधे को सीखने लग गईं और यह मानो हुई बात है उन्हें जब काम सीखने के बाद सरकार ने नौकरी दे दी या किसी और काम पर लगा दिया और वे अपनी जीविका अच्छी तरह से कमाने लग गईं तो उन्होंने इस पेशे को छोड़ दिया । चीन में किस तरह से यह काम खत्म किया गया यह मैं नहीं कह सकता । लेकिन यह देखने की बात है कि जब मैं हांग-कांग में गया तो जैसेकि माननीय मंत्री जी ने भी कहा मैं ने वहां पर औरतों को सजी-धजी सड़कों पर खड़ी हुई देखा जिन का पेशा यह है कि वे मर्दों की तलाश में घूमती हैं । लन्दन में भी मैंने औरतों को इसी तरह घूमते फिरते और सजी-धजी हुई पाया । मेरे साथ जो एक अंग्रेज साहब थे उन से मैंने इस के बारे में पूछा और उन्हों ने भी मुझे बताया कि यह दुःखदायी दृश्य जरूर है लेकिन ये औरतें शाम को सड़कों पर खड़ी

[श्री राजा राम शास्त्री]

होती हैं और मर्दों की तलाश करती हैं । यही चीज मुझे पेरिस में देखने को मिली । तो जिन का यह पेशा है उन को अगर आप कानून द्वारा चकलों से हटायेंगे और अगर उन की आर्थिक व्यवस्था को ठीक करने के लिये कोई कदम नहीं उठायेंगे जिस से कि वे अपनी आजीविका कमा सकें, किसी धंधे में लग सकें, तो मानी हुई बात है कि वे नाना प्रकार के रूप में हमारे सामने आयेंगी । इस वास्ते मेरा खयाल है कि जो आप ने प्रोटेक्टिव होम्स (रक्षा गृहों) की व्यवस्था की है उन में रख कर अगर आप उन को कोई न कोई काम नहीं सिखायेंगे और उन के काम सीख लेने के बाद किसी न किसी जगह पर काम पर नहीं लगायेंगे, नौकरी नहीं देंगे तो आप इस बीमारी का जड़ से खात्मा नहीं कर सकेंगे और यह बीमारी किसी न किसी रूप में आप के सामने आ खड़ी होगी ।

एक बात और है जिस की ओर मैं आप का ध्यान आकर्षित करना चाहता हूं । आज कल होता यह है कि कानून तो बहुत ज्यादा बनते जाते हैं लेकिन उन पर अमल ठीक प्रकार से नहीं होता है । बजाय इस के कि मर्ज घटे वह हर वाक आफ लाइफ़ में बढ़ता ही जाता है । मुझे डर लगता है कि कानून अगर आप बनाते गये लेकिन उन पर ठीक तरह से अमल न किया और जितनी दृढ़ता से उन को काम में लाना चाहिये उतनी दृढ़ता से काम में नहीं लाये तो इस का नतीजा वही होगा जो आज हो रहा है यानी कानून रखे रहते हैं और कानून की खिलाफ वर्जी लोग करते रहते हैं । मुझे दुख होता है इस बात को देख कर कि आज समाज में कानूनों के होते हुए भी उन के प्रति लोगों में इज्जत की भावना नहीं है । लोग समझने लग गये हैं कि कानून को तोड़ते जाने में कोई हर्ज की बात नहीं है क्योंकि कोई देखभाल करने वाला नहीं है । अगर इस कानन का भी यही हाल हुआ तो मुझे भय है कि आप इस कानून को पास करवा कर जो सफलता प्राप्त करना चाहते हैं उसे प्राप्त नहीं कर सकेंगे ।

मैं एक बात की तरफ और भी आप का ध्यान दिलाना चाहता हूं । इस कानून में आप ने इस बात की व्यवस्था की है कि अगर आप ब्राथल्स (चकलों) में लड़कियों को पकड़ते हैं या किसी दूसरी जगह पर छापा मार कर उन को अपने कब्जे में करते हैं तो पुलिस को उन्हें जल्दी से जल्दी मैजिस्ट्रेट के सामने पेश करने की बात आप ने कही है । मैं समझता हूं कि इस के लिये कोई टाइम लिमिट (समय की सीमा) भी कर दी जाये तो अच्छा है । आप कह सकते ह कि इतने घंटों के अन्दर अन्दर पुलिस को उन्हें मैजिस्ट्रेट के सामने पेश करना पड़ेगा । टाइम लिमिट मैं इसलिये चाहता हूं कि अगर यह चीज न की गई तो कहीं ऐसा न हो कि जो रक्षक हैं वे ही भक्षक बन जायें । कहीं ऐसा न हो कि एक जगह से निकाल कर वे लगातार ही उन्हें अपन पास २४ घंटे या ४८ घंटे रख छोड़ें । इस चीज की भी देखभाल होनी चाहिये कि सचमुच में उन को मैजिस्ट्रेट के सामने पेश करा दिया जाय । कहीं ऐसा न हो कि मैजिस्ट्रेट के सामने पेश ही न किया जाय और खानापूरी कर दी जाये कि पेश कर दिया गया है । मैं यह इसलिये कह रहा हूं कि पिछली बार जब मुझे गिरफ्तार किया गया (इस काम में न समझ लीजिये) मजदूर तहरीक (आंदोलन) के सिलसिले में, तो मुझे किसी मैजिस्ट्रेट के सामने ही पेश नहीं किया गया और सीधा जेलखाने में बन्द कर दिया गया । बाद में मुझे यह मालूम पड़ा कि बाकायदा खानापूरी कर दी गई है कि शास्त्रीजी को फलां मैजिस्ट्रेट के सामन फलां वक्त में पेश किया गया । यह जान कर मुझ बहुत दुख हुआ और साथ ही बहुत आश्चर्य भी । बाकायदा लिख दिया गया कि मोटर पर बिठा कर

ले गये, फलां जगह खड़ा कर दिया गया, पुलिस वाले मैजिस्ट्रेट के सामने गये और फिर अदालत में पेश कर दिया गया । तो मैं समझता हूं कि जब मैम्बर्स पार्लियामेंट को इस तरह से खड़ा किया जा सकता है तो इन के साथ भी जोकि खूबसूरत वेश्यायें होंगी और जिन के हाथ में पुलिस वाले आसानी से पड़ जायेंगे इसी तरह से न हो । इस बिल का दुरुपयोग न होने पाये, इसलिये मैं यह चाहता हूं कि कुछ टाइम लिमिट कर दी जाय कि इतने घंटे के अन्दर अन्दर पुलिस को उन्हें मैजिस्ट्रेट के सामने पेश करना पड़ेगा । साथ ही यह भी व्यवस्था कर दी जानी चाहिये कि इस कानून के खिलाफ अगर कसी भी पुलिस वाले ने कोई काम किया तो उस को भी सजा होगी ।

अन्त में मैं एक बात और कहना चाहता हूं । हालांकि यह बात सही है कि जब तक समाज की व्यवस्था सही नहीं होती, लोगों की चारों तरफ से उन्नति नहीं होती, लोगों का चरित्र ऊंचा नहीं उठता तब तक चाहे जितने कानून बनते जायें, कितना ही हम सरकार को दोषी ठहराते जायें, कुछ हो नहीं सकता । इस के बगैर सही बात यह है कि जो चीज हम चाहते हैं, वह हो नहीं सकती है । अब समय ऐसा है जब कानून की अपेक्षा सार्वजनिक कार्यकर्त्ता को यह भी समझना चाहिये कि मेरा भी कुछ कर्त्तव्य है जिसे मुझे निभाना है । एक जमाना था जब हमारा खुद का चरित्र होता था, बिना कानून का सहारा लिये हम जनता की सेवा करने जाते थे । हम अपने चरित्रबल के सहारे जनता के सामने जाते थे और बात करते थे । पर आज वैसी परिस्थिति हमारे सामने नहीं है । चाहे सरकारी पक्ष के लोग हों और चाहे विरोधी पक्ष के, आज हमारी सारी की सारी शक्ति आपस के संघर्ष में व्यय होती है । इधर के लोग सरकार पर दोषारोपण करने में अपनी सारी शक्ति को नष्ट करते हैं और उधर के लोग आपोजीशन पार्टीज (विरोधी दलों) का विरोध करने में व्यस्त रहते हैं और अपना समय और शक्ति नष्ट करते हैं । आज इस सदन के दोनों ओर बैठने वालों का यह कर्त्तव्य हो जाता है कि कानून का कम से कम सहारा ले कर अधिक से अधिक अपने चरित्र-बल से, अपने त्याग और कुर्बानी से समाज को सेवा करने के लिये आगे बढ़ें और इस बात का प्रचार करें कि जब तक समाज का हर एक व्यक्ति अच्छा नहीं होगा, तब तक सारा समाज अच्छा नहीं हो सकता है । मैं जानता हूं कि इस सम्बन्ध में यह बात भी कही जायगी कि जहां ग़रीबी हो, वहां नैतिकता नहीं आ सकती है । लेकिन हम को अपनी प्राचीन भारतीय सभ्यता और संस्कृति को अपना मार्ग-दर्शक बनाना होगा । मैं यह नहीं कहता कि उस में इस तरह की बुराइयां नहीं थीं, परन्तु फिर भी मेरा दावा है कि सदियों तक पराधीनता और पतन की अवस्था में रहने के बावजूद और सब प्रकार की बुराइयां होने के बावजूद हमारे देश की नैतिकता संसार के किसी भी समृद्ध देश की नैतिकता से कम नहीं है और उस के कई कारण हैं । हमारे पूर्वजों ने बचपन से ही हमारे मनों में नैतिकता और चरित्र-बल का भाव भरने का प्रयत्न किया है । जिस वक्त हम स्कूलों में शिक्षा पाते थे तब ही नैतिकता के महत्व पर जोर दिया जाता था । लेकिन अफ़सोस है कि आजकल के युग में ऐसी विचार-धारा फैल गई है कि हम दुनिया भर को तो सुधारना चाहते हैं, लेकिन अपने सुधार की तरफ ध्यान देने का किसी को ख्याल नहीं है । हम संसार को सुधारना चाहते हैं, लेकिन अपने नैतिक चरित्र की तरफ कोई ध्यान देने को तैयार नहीं है । अगर यह बुरी बात न समझी जाय, तो मैं कहूंगा कि हुकूमत को इस देश की शिक्षा पद्धति में सुधार की तरफ भी ध्यान देना चाहिये । उस की और क्षेत्रों में उन्नति के साथ ही साथ समाज में फैले हुए अनैतिक आचरण को भी दूर करने के उपाय करने चाहियें । अगर वह

[श्री राजा राम शास्त्री]

इस दिशा में भी आगे बढ़ने का प्रयत्न करेगी, तो हमारा विश्वास है कि जो कानून बनाया जा रहा है, उस को सफलता मिलेगी ।

इस बिल की कुछ बातों को हम खास तौर पर पसन्द करते हैं । विमैन पुलिस (महिला पुलिस) स्थापित करने की व्यवस्था एक बड़ा अच्छा कदम है । मैजिस्ट्रेट के साथ एडवाइजरी कमेटी (सलाहकार समिति) लगाने की जो व्यवस्था की गई है, वह भी बहुत अच्छी है । इस तरह सार्वजनिक कार्यकर्त्ताओं के लिये एक और क्षेत्र खलता है कि वे आगे आयें और समाज की सेवा करें । जिस तरह का भी यह कानून है, जितना भी हमारा कदम आगे बढ़ता है, उस को मैं बिल्कुल सही समझता हूं और समर्थन करता हूं । अगर दृढ़ता से इस कानून का पालन किया गया और हम ने अपने कर्तव्य का पालन किया, तो मेरे विचार में इस कानून के जरिये समाज की सेवा करने में बड़ी मदद मिलेगी ।

इन शब्दों के साथ मैं इस बिल का पूर्ण रूप से समर्थन करता हूं ।

श्रीमती शिवराजवती नेहरू (जिला लखनऊ—मध्य) : माननीय उपाध्यक्ष महोदय सब से पहले मैं राजमाता को धन्यवाद देना चाहती हूं कि उन्हों ने इस बिल को तरफ सरकार का ध्यान दिलाया, परन्तु मुझे इस बात का खेद है कि इस आवश्यक बिल को यहां लाने में छः वर्ष लग गये हैं । मुझे इस बात का भी खेद है कि यह बिल बड़े बेमौके इस सदन में रखा गया है और आज एक बिल्कुल खाली हाउस में इस का स्वागत किया जा रहा है । ऐसे आवश्यक बिल को आज से दो वर्ष पूर्व—१९५४ में ही जबकि यह इस सदन में लाया गया था, उसी समय पास कर दिया जाना चाहिये था, क्योंकि आर्थिक उन्नति और सामाजिक उन्नति हमारे देश की उन्नति रूपी गाड़ी के दो पहिये हैं । एक की उन्नति दूसरी पर निर्भर है । अगर इस देश की नतिक उन्नति न हो सकी और उस का नैतिक स्तर गिर गया, तो इस की आर्थिक उन्नति भी बिल्कुल दुर्लभ और व्यर्थ होगी ।

आज हमारे देश में अनेकों ऐसे व्यभिचारी और आचरणहीन स्त्री पुरुष हैं, जो स्त्रियों और बालिकाओं को बेचने का व्यापार करते हैं और उन को वेश्यावृत्ति में फंसा कर धन कमाते हैं । ऐसे स्त्री-पुरुष हमारे समाज और देश के लिये काले धब्बे के समान हैं और ऐसे दुष्ट और पापियों के फंदे से असमर्थ और लाचार बालिकाओं को छुड़ाना ही वास्तव में हमारा परम कर्तव्य है और इसी लक्ष्य की सामने रख कर यह बिल यहां पर लाया गया है । हमें इस बात को भी समझ लेना चाहिये कि हमारे समाज की कुरीतियां ही इन अबलाओं को पाप के गर्त में गिरा रही हैं । आज हमारे समाज में सैंकड़ों स्त्रियां ऐसी हैं, जिन की दशा बड़ी ही दयनीय है । वे आर्थिक रूप से पराधीन हैं और बिल्कुल दासी के समान उन के साथ व्यवहार किया जाता है । चाहे लड़की हो, चाहे पत्नी हो और चाहे वृद्ध माता हो, हर एक स्थिति में उस को आजन्म अपने पिता, पति या पुत्र के अधीन रहना पड़ता है, चाहे वह कितना ही निष्ठुर और अत्याचारी क्यों न हो ।

Pandit K. C. Sharma: One can divorce now.

श्रीमती शिवराजवती नेहरू: अध्यक्ष महोदय, जब तक प्रम और आदर मिलता है, तब तक पराधीनता नहीं खलती है, लेकिन जब तिरस्कार होता है, जब घर में कलह रहता है और पति बुरा व्यवहार करता है, तो स्त्रियों का जीवन नरक के समान हो जाता है और वह अवस्था उन को पतन की ओर ले जाने में सहायक होती है और यह बुरा व्यवसाय करने वाले स्त्री-पुरुष तो ऐसे अवसरों की खोज में रहते हैं और ऐसे अवसरों से लाभ उठा कर घर वालों से पीड़ित,

असंतुष्ट स्त्रियों को घरों से बरग़ला कर इस कुकर्म में लगा देते हैं । हमारे समाज में स्त्रियों को समानता का अधिकार प्राप्त है और उस के अतिरिक्त अभी कई ऐसे कानून भी पास हुए हैं, जिन से स्त्रियों के हितों की रक्षा होती है और उन के लिये बड़े कल्याणकारक हैं । परन्तु यह दुःख का विषय है कि हमारा समाज उन से लाभ नहीं उठा पा रहा है और न उन के ऊपर चल पा रहा है । फिर भी मुझे पूरा विश्वास है कि समाज इस से लाभ उठाने का बहुत जल्द प्रयत्न करेगा और अपनी इस भूल को अवश्य सुधारेगा । परन्तु जब तक यह समय आये, उस समय तक प्रोटेक्टिव होम्ज़ (रक्षा गृहों) की, जिन की इस बिल में व्यवस्था की गई है, बहुत आवश्यकता है, जहां पर इस तरह घर से पीड़ित और समाज से तिरस्कृत स्त्रियों को शरण मिले और दुष्ट पापियों के चंगुल से उन की रक्षा हो सके ।

इस बिल की क्लाज़ २१ उपधारा १, २, ३ से मुझे बड़ा संतोष है, क्योंकि इस के अनुसार सरकार प्रोटेक्टिव होम्ज़ स्वयं स्थापित करेगी और वह स्वयं ही उन का प्रबंध भी करेगी । उस में यह भी लिखा है कि इस कानून के पास होने के बाद यदि कोई निजी व्यक्ति अपना प्राईवेट होम, स्त्रियों की संस्था या ऐसे आश्रम बनायेंगे, तो उन के लिये सरकार से लाइसेन्स लेना अनिवार्य होगा और यदि वे उस लाइसेन्स की शर्तों का पालन नहीं करेंगे, तो वह लाइसेन्स ज़ब्त हो जायगा । यह बात बड़ी महत्वपूर्ण है ।

दूसरी बात इस में यह रखी गई है कि जहां तक सम्भव हो, ऐसे आश्रमों और संस्थाओं का प्रबन्ध केवल स्त्रियों के हाथ में रखा जाय । इस बिल की ये दो मुख्य बातें हैं, जोकि बहुत ही महत्वपूर्ण हैं और मुझे पूरी आशा है कि इस देश में से व्यभिचार दूर करने में ये बातें बहुत सहायक होंगी । हम ने कई बड़े नगरों में देखा है कि जब कभी ऐसे प्राइवेट आश्रमों से इस प्रकार की सूचना मिली कि वहां कुछ कुव्यवस्था है और उस पर पुलिस द्वारा रेड किया गया तो यह मालूम हुआ कि आश्रम के नाम पर, अनाथालय के नाम पर वेश्यागृह कायम हैं । इसी कारण माननीय मंत्री जी ने ऐसे सभी आश्रमों और संस्थाओं की कुव्यवस्था और व्यभिचार के लूपहोल्ज़ (गुंजायश) को देख कर यह प्रयत्न किया है कि वे सारे लूप होल्ज़ बन्द कर दिये जायें । मुझे पूरी आशा है कि इस बिल के पास होने के बाद देश में जो स्त्रियों और बालिकाओं में इम्मारेल ट्रैफिक (अनैतिक पण्य) का कार्य चल रहा है, उस में एक बड़ा सुधार होगा और यदि वह बिल्कुल नहीं रुक गया, तो उस में कमी अवश्य होगी ।

इस बिल का क्लाज़ १७(३) बहुत अच्छा है । उस में लिखा है कि मैजिस्ट्रेट पांच आदमियों का एक पैनल (तालिका) बनायेगा, जिस में तीन स्त्रियां भी होंगी जो स्त्रियां अनुभवी समाज सेविका होंगी और जिन्हों ने इम्मारेल ट्रैफ़िक रोकने में कार्य किया होगा, उन्हीं को यथासम्भव पैनल में रखा जायगा । यह बड़ी मुनासिब बात है और समाज सेविका स्त्रियों के लिये यह बड़ा अच्छा अवसर है और एक चुनौती है कि वे सामने आयें और अपनी सेवा से अपने देश की स्त्रियों का उत्थान करें ।

एक मेरा सुझाव मंत्री जी से यह है कि यह जो प्रोटेक्टिग होम बनाये जा रहे हैं ये महिलाओं के लिये केवल खाने, कपड़े के साधन बन कर हीं न रह जायें बल्कि वहां स्त्रियों को ऐसी दस्तकारियों की शिक्षा दी जाये कि वे स्वावलम्बी बन सकें और उपयोगी बन सकें और वहां पर अपना जीवन व्यर्थ में न बितायें । उन्हें ऐसी शिक्षा मिलनी चाहिये कि वे उपयोगी नागरिक बन सकें । उन को ऐसा पेशा सिखाया जाना चाहिये जिस को सीख कर व स्वयं अपना खाना कपड़ा कमा सकें और जो गन्दा पेशा है उस को छोड़ दें ।

[श्रीमती शिवराजवती नेहरू]

मैं एक बार फिर माननीय मंत्री जी को यह उपयोगी विधेयक लाने के लिये धन्यवाद देती हूं किसी ने कहा है कि 'देर आयद दुरुस्त आयद' (जो काम देर से होता है सही होता है)।

Pandit K. C. Sharma: Mr. Deputy-Speaker, reading the Bill, I remember a very great saint who said that man is the animal who creates crime, creates sins, then commits the crime, makes the sin and then repents for it. No other animal does it. So, the hon. Minister in the Ministry of Home Affairs has created many new offences and some people are likely to commit them and then go to jail.

Mr. Deputy-Speaker: He has committed offences?

Pandit K. C. Sharma: He has created offences.

Shri Feroze Gandhi (Pratapgarh Distt.-West *cum* Rae Bareli Distt.—East): Pandit K. C. Sharma is a lawyer also.

Pandit K. C. Sharma: On strictly moral grounds, it is not good to judge human beings. But anyhow, as the world goes and as the socialist structure is established, one has to take into consideration the things around one and to show the way for better life. So, the hon. Minister has done well and his measure is welcome. But, I doubt very much whether it would be able to go a long way.

For one thing, the social conduct of a citizen has to be determined, not so much by his innate goodness or ill-nature but by the social factors that determine the course of his life. Whether a particular citizen will commit a crime or do a wrong depends not on that but on the other adjacent circumstances, other prevailing factors, other courses, professions, occupations, etc. that have a bearing on his way of life—that is, his conduct with regard to his profession, with regard to his making a living, conduct in the society. That is the determinant factor. An innocent, ignorant, helpless girl who lends her body for making a living is judged as a shameless character. She has to pass as a shameless being in the streets of the city. She has no honourable place in any society. She cannot raise her head high. But, what of the man who buys the medicine and sells it in a wrong way and lets the children die and does not sell it in the proper manner. A life is lost; he is the cause of the loss of life. He causes the loss of a life; he does something which amounts to murder. Yet, with all these wrongs, a series of accumulations of wrong, he is in possession of a fine car, a fine bungalow, a fine set of friends. He passes as an honourable man. There is the same society and the same laws. Only the sphere of corruption is different. So long as that man can pass as a honourable man, no law on this earth, with whatever good intentions it is made and with whatever machinery to enforce it, can bring about the required moral conditions, binding on an innocent, ignorant, helpless girl. It permits the prostitution of the mind and the murder of the man and the corruption of the society, setting away the entire machinery and corrupting the law. It allows the man to pass as a honourable citizen as a matter of course.

I shall cite another example. Supposing there is a young, talented, beautiful girl. What courses are open to her? I have seen a grass-cutter, a woman, sturdy, beautiful and good-looking and well-meaning, talking in a good and decent way. What does she earn? She goes and cuts the grass and takes the load to the city where her honour is in danger. What does she get? Rs. 1-8-0. That very woman becomes the object of that very dishonourable person, the black-marketeer, who lives under the very nose of the Ministers and administrators in the metropolis. I have seen these very people's houses being searched in connection with the worst black-deeds and various crimes. The big-

gest persons take part and participate in their feasts. They pass as honourable men and are honoured by the highest dignataries. Yet, you call a girl immoral, unchaste, shameless, corrupt, etc. and pass a law for her.

What will this law do? I doubt very much if this law will do anything by itself. You have to change the entire socio-economic structure, the root of your culture and the way of making a living, of providing employment. No law and no administration can reform the people unless the entire socio-economic structure is changed, unless your habits, your values of life are changed and transformed. Today, I say that, even among the Members, when an honest but poor man walks down the portals of this very august House, the salute given by the guard is different in relation to the one who alights from a fine car. Even in the House, in the portals of this House, a man in the car is valued. You have to transform the values.

Therefore, Sir, I beg to submit that it is not a simple question of creating offences and then getting some people to commit them and then punishing them. It is a question of a radical change in the entire socio-economic structure of the society. It is a question of transforming the values of life. Therefore, I beg to submit that the first question is that of providing avenues for employment, for providing employment for every citizen of India, and much more for the poor ignorant and helpless girls, particularly girls from the hill areas. They are the objects of sexual pleasures for these demoralised people who, unfortunately, pass as honourable men. Sir, in this great city of Delhi it is possible for a man to commit social misdeeds, to be guilty of the blackest deed, buy twenty educated women and then pass as an honourable gentleman. Your law does not get hold of that man. Your law cannot do it. Why? Because the very roots of our social structure are rotten. The society has lost the values of humanity, they are just superficial. You cannot help it so long as ease and pleasure are considered better than the utility of innocent service.

I will put a straight question to you. Who does the greatest service to the people? It is the engineer, the builder, the man on the field and so on. But, who gets the most from the society? It is the cinema girl. Does the cinema girl put a brick down the edifice we are going to build? Judge your social structure from this viewpoint before you pounce upon innocent and helpless girls.

Mr. Deputy-Speaker: I am sure if the hon. Member addresses me, he will not be so violent.

Pandit K. C. Sharma: I am not violent; I am putting my case powerfully.

Shri Datar: And addressing my poor helpless self.

Pandit K. C. Sharma: You are not helpless; you are a Minister.

Mr. Deputy-Speaker: Even then I am prepared to suffer all those things.

Pandit K. C. Sharma: Sir, this question was put by Bernard Shaw. I only just transformed his analysis to Indian conditions and put the question. A cinema girl certainly does not lay a brick down the foundation of the edifice we are going to build. Analyse the values that are involved in this phenomenon. What service does a cinema girl give? She only caters to the pleasures of those who have earned enough, who have nothing else to do but go and see cinemas. The service she renders is only for a few privileged people. A good number of the privileged people in this country are corrupt and corrupting people. That cinema girl gets most from the society and the working class gets less. That is the real disease. This sort of legislation does not help to remove that. That is my fundamental objection to the way of thinking of the hon. Minister. I would not

[Pandit K. C. Sharma]

have taken pains to elaborate this and given the ultimate factors conditioning the life in society, but my hon. Minister had been gloating so much over it.

So far as the Bill is concerned, I do think that it would to some extent, though not much, help in preventing innocent girls being forced to take up prostitution if they otherwise are not willing to be subject to this sort of treatment.

As far as the problem goes, there are three factors in it. One is the economic factor which I have already dealt with, and I beg to submit that this law is no remedy for that evil. Suppose a woman is helpless otherwise and can do nothing but take to the life which we call a life of shame, the law cannot help that.

Another factor is the social, superficial habit of seemingly living a life of ease and comfort. No law can be helpful in this respect. The superficiality is always enjoyed in a superficial way. No law can stand in between and prevent this.

The third factor is, what is called, 'public' houses'. Certain people abuse the ignorance or helplessness of innocent girls, bring them from the hills or some other places and then open public houses. The hon. Minister has given details about this sort of activity. Unless they are very clever people and also resourceful, I think the police can do a lot in un-earthing this sort of ill-framed houses and preventing crime.

Sir, I again repeat my original suggestion that it is a question of changing the values, providing opportunities for employment and creating an atmosphere in which the people will feel the tension of life. They say prostitution has been eliminated in China. It is only because there is a sort of social tension. During the days of war you will find that the number of suicides is very small. People do not commit suicide then. Why? Even though commodities for consumption will not be available and life will become harder, suicides will be less. It is a strange psychological phenomenon. It is only because there is tension. A man's average tension is five times more then. He feels the pulse of living. He does not, therefore, want to die. A man does not want to die, not because life is easier but because life is worth living though it may be harder to live. In the same way there is no prostitution in China because the tension is high there. The people are able to feel that a future is being built up. They feel that something is coming out and they are sharing in that. If you create an atmosphere in which every man or woman has to put in his or her best, he or she feels that he or she is a co-sharer in the enterprise, then, automatically prostitution will go away.

Prostitution is no pleasure for the woman. It is not a pleasure for any person to be subject to the will of another person. It is only a helpless condition. To let a helpless condition exist is no credit to any modern government. If a helpless condition exists, it means that the social structure is wrong. It means that the administration has failed. Certainly, the administration of a growing country, with growing economic and social conditions, fails, if this condition ceases to exist. The very fact that we want to plan for our future, the very fact that we want to build anew, should be a negative condition for the prevention of such things.

Therefore, my respectful submission is that the only course open to this administration or any administration to tackle this helpless condition and to prevent prostitution to the maximum extent possible is to bring in factors under which every man and woman must be forced to put in, and be asked to put in, his or her very best. If in this way our great future is build up, this sort of helpless condition will not exist, and a share for everybody to take part in that future will be available.

Dr. Rama Rao: All of us want the suppression of immoral traffic. But, as far as the Government is concerned, the Minister's speech is rather very pessimistic, and he has shown by his speech as well as by the title of the Bill that he has done it more as a formality than as a firm determination to put down this traffic. The Bill says:

> "to provide in pursuance of the International Convention signed at New York on the 9th day of May, 1950, for the suppression of immoral traffic in women and girls."

It is not much of a credit for a sovereign Parliament to enact a law because some international convention demands it. In our own right and as a matter of duty and of feeling, we must bring in such a measure. I do not say that the desire is lacking, but here, I should consider it as an insult to this House to have this stamp of an international convention branded on us.

In considering the suppression of immoral traffic, we must go to the very root cause and the basic factors that lead to this traffic. First, without elaborating, I would say that it is an evil of the capitalistic society. Our friends laugh at it, because they do not know.

Mr. Deputy-Speaker: He should not mind that.

Dr. Rama Rao: They do not pay sufficient attention to study.

Mr. Deputy-Speaker: I am all attention.

Dr. Rama Rao: You are all attention, but they do not pay sufficient attention to the study of the evolution of society and the history of society and the factors that shape society. If leave it there.

The inequality of women in many countries is the next important cause for this traffic. Unless we pay special attention or more attention to see that women are not dependent upon men, that they are able to stand on their own feet, that they can also earn their own living and follow their profession and work, we cannot tackle this problem, apart from other factors.

The problem of unemployment is very grave, and it is more so for women. If we want to remove women from this traffic, as some of our friends have already pointed out, we must realise that women themselves do not get into it as a matter of choice. Circumstances beyond their control compel them to lead that life. I do not think there are many women in that profession who are very happy about it. Therefore, what are the steps we must take to prevent women from drifting themselves into this condition? The Government, as a whole, must tackle this. The Minister comes out with a half-hearted Bill just to satisfy certain conditions with so many provisions which are more of a cumbersome nature than a necessity. Anyhow, I do not mind the Bill as it is, because the whole thing depends upon how we implement it. An Act may be ideal, but if we do not implement it properly, it becomes useless.

Recently, we have seen some films produced by the Government. One was entitled "Deserted Wife" and another was called "Unmarried Mothers". All that is good. But what is the Government doing to solve this problem? How many institutions have the Government started for these deserted wives or unmarried mothers or orphans? One of the richest sources of recruitment for this horrible traffic is the group of orphans. How many orphanages have the Government established? I raised this point on the floor of this House in connection with another Bill.

An Hon. Member: They would never start.

Dr. Rama Rao: It is the primary duty of the Government to start orphanages. Orphans are the first charge on the State. Do the Government realise that?

Shri Veeraswamy (Mayuram—Reserved-Sch. Castes): It is not even the last charge.

Dr. Rama Rao: It is these orphans who fight for a morsel of food like dogs. It is they who develop into all sorts of people like pick-pockets, thieves and prostitutes and these people are kept in the brothels and other things. It is the primary duty of the State to start homes for such people to prevent immoral traffic. These orphans and other women require some shelter where they can live, learn something, some trade, by which they can earn their livelihood by honourable means and not drift into this immoral traffic.

China has been mentioned by some friends. Our friend Pandit K. C. Sharma just now said that prostitution has been abolished in China, because there is social tension. I really do not understand how prostitution can be abolished by growing social tensions. Suppose, I want to abolish immoral traffic in India, is it by growing tension that I can do it? His reading is quite wrong. But I do not go very much into the details, but I will say this much.

Some Hon. Members: He said "attention".

Dr. Rama Rao: It seems he said that the attention of society is diverted to other ways. Even then, it is not correct diagnosis. Recently, I have been to China. One factor which impressed many members of the delegation was the absence of houses of prostitution and other things. We asked many people other than Chinese friends. It is not that all women are born saints in socialist countries but as far as prostitution, as defined in this Bill—namely, carrying on of traffic for a living—is concerned, that has been either completely abolished or very much reduced in China.

In this connection, I want to mention a personal experience. I went to a medical institution which was a research institute for skin and venereal diseases. In that hospital for skin and veneral diseases, one senior medical officer told me the effect of this social change. He said that it is not social legislation that has brought a welcome change but it is the new system that has been established there that has brought that change. So, unless we bring about a radical change, as some of our friends have pointed out, we cannot bring about the abolition of this system. We must bring about changes in the health matters and problems and we must make those changes by our social conditions. This is illustrated by an example which that medical officer gave me. In a series of 30,000 cases in that skin and venereal diseases hospital, they got only one primary case, new case, of syphilis. Medical people will understand this better. It is extraordinary and wonderful, to get only one in 30,000 cases as a syphilis case. In all other countries, we get a much higher percentage.

That officer told me of another interesting fact. It was the case of a research institute. The research scholars have to be shown the positive germ, *Spirochacta Pallida,* the germs that cause syphilis, on the microscope. But because they do not get that germ, they are cultivating it on rabbits. Therefore, a socialist change in society will have far-reaching effects and unexpected effects.

Of course, I do not say that in China venereal disease is entirely absent. It is prevalent in outlying areas of the country. But they are tackling it and they have a programme for abolishing venereal disease within seven to 12 years. The purely professional and scientific friends there told me that they have absolutely no doubt that they would succeed within a much shorter period. Therefore, how can we tackle this problem? It is not merely by passing laws. There should be a change in the approach. In China they have created a change in the outlook. They have educated their women. They have been provided with employment. Some have married. Every woman who wants to work is given work there. Therefore, employment is the most important factor which we must provide for, if we want to suppress this immoral traffic.

I will mention one or two general points about the Bill. In many clauses there is the provision that for this offence a person shall be punishable with imprisonment for not less than two years, not more than four years, and so on. While I am very severe about suppressing immoral traffic, I have very strong objection to restricting the hands of the magistracy compelling them to give a particular sentence and not less than that. This point came up in the discussion on the Prevention of Food Adulteration Bill. You give the biggest margin you like, but the magistrate must take all the facts into consideration and then give such deterrent punishment as he thinks fit. I have given some amendments in this regard and I will move them tomorrow at the appropriate time. This thing ought to be changed. It is not that I want offenders to be given less punishment, but I say that it must be the magistrate who should take the facts of the case into consideration and determine the punishment.

Under clause 18, a magistrate can take action against brothels provided they are situated within a distance of 200 yards from any public place referred to in clause 7(1). This means that if the brothel is situated elsewhere away from a school, hostel or place of worship, then the magistrate cannot take action. That is very strange. I hope the Minister will accept an amendment to that clause.

[PANDIT THAKUR DAS BHARGAVA *in the Chair.*]

16.23 HRS.

As I said, the provisions of the Bill are not of primary importance. What is more important is the general approach of the Government. They must make a more genuine effort to establish a socialist pattern; not the pattern we are having today, but a real socialist pattern. Unless we bring a socialist change in this country, this problem will not be solved. In the meanwhile it is the primary duty of the Government to establish various types of institutions where girls and women can be educated and provided with employment. Then only we can reduce this immoral traffic.

श्रीमती सुभद्रा जोशी (करनाल) : सभापति महोदय, मैं मंत्री महोदय को बधाई देती हूं कि आखिर इतने बरसों के बाद वह इस बिल को हमारे सामन लाये । जैसी हालत इन बहनों की है वह आज हम लोगों में से किसी से भी छिपी हुई नहीं है । पर मुझ इस बात का थोड़ा सा अफसोस हुआ कि इस बिल में प्रोस्टीट्यूशन (वेश्यावृत्ति) को बिल्कुल ही बन्द करने को कोई व्यवस्था नहीं की गई है, उस पर पूरी तरह से बैन (प्रतिबन्ध) लगाने की व्यवस्था नहीं की गई है ।

जैसे कि और मेम्बर साहिबान ने कहा कि उन को इन बहनों से मिलने का अवसर प्राप्त हुआ है, मेरा भी इन मुसीबत जदा बहनों से सम्बन्ध रहा है और मुझ भी इन से मिलन का अवसर प्राप्त हुआ है । अभी हमारे आनरेबल मिनिस्टर साहब ने दिल्ली में रात के वक्त जो एक रेड किया गया था, उस का जिक्र किया जिस में कि बहुत सी बच्चियों को पकड़ा गया था । उन को निकालने के बाद मेरा वहां पर जाना हुआ था और उन लोगों से बात करने का अवसर मुझे प्राप्त हुआ । उन लोगों ने एक बात कही जो सच भी है और जिस को मैं आप के सामने रखना चाहती हूं वह बात यह है कि आप ने किसी भी कानून के द्वारा इस वैश्या वृत्ति को बन्द नहीं किया । कानून म वेश्यावृत्ति की पूरी इजाजत दे रखी है । उन्हों ने कहा कि आप हमारी बच्चियों को ले गये हैं यह समझ कर कि वे छोटी उम्र की हैं । आप उन को ले तो गये हैं लेकिन आप के पास हमारी बच्चियों के लिये कोई प्रोग्राम नहीं है । आप उन को ले गये हैं केवल इसलिये कि उन की उम्र छोटी है । अब आपने उन को अप पास रखेंगे तो सही

[श्रीमती सुभद्रा जोशी]

और खिलायें पिलायेंगे भी लेकिन आप उन को कोई काम सिखाने वाले नहीं हैं । इस के बाद जब उन की बड़ी उम्र होगी तो उन को आप वहां से छोड़ देंगे । उन्होंने यह भी कहा कि बहुत सी बच्चियां और बहुत सी औरतें इस तरह की होती हैं जो यह काम नहीं करती हैं, वे तो सिर्फ गाना गाती हैं । अपने पास रख कर जब तुम लोग उन को गाना भी नहीं सिखाओगे और बड़ी उम्र की होने पर जब छोड़ दोगे तो फिर जब वे हमारे पास आयेंगी तो सिवाय इस धंधे के और कौन सा धंधा कर सकेंगी । उन्होंने कहा कि अगर सरकार के पास कोई ऐसा प्रोग्राम हो जिससे कि वह हमारी बच्चियों को पढ़ायें, लिखायें, कुछ काम सिखायें, तब तो यह बात हमारी समझ में आ सकती है । उन्हों ने कहा कि हमारी बच्चियां स्कूलों में नहीं जा सकतीं, हमारी बच्चियां किसी कालिज में नहीं जा सकतीं । अगर कोई बहादुर पुरुष इन में से किसी से शादी कर लेता है तो उस की सारी उम्र बहुत बुरी अवस्था में गुजरती है । जब समाज का और सरकार का कोई प्रोग्राम नहीं है और कानूनन भी आप इस चीज को बन्द नहीं करते तो सिर्फ कभी कभी आ कर छापा मार कर हमारी बच्चियों को ले जाना और फिर रिश्वत ले कर छोड़ देना, कहां तक मुनासिब है ।

मैं अर्ज करना चाहती हूं कि हमारे आनरेबल होम मिनिस्टर (माननीय गृह-कार्य मंत्री) के साथ इन बहनों की एक मीटिंग में जाने का तथा उस में भाग लेने का सौभाग्य प्राप्त हुआ है । हमारे आनरेबल होम मिनिस्टर साहब ने उन को उदाहरण दिये और सीता की बात बतलाई, सावित्री की बात बतलाई, पतिव्रत धर्म की बात कही और इसी तरह की बहुत सी बातें कहीं । उस के बाद उन्हों ने उन बच्चियों से कहा कि अगर आप को भी कुछ कहना है तो कह सकती हो । उन में से एक ने कहा और बड़े दुःख भरे अलफाज में कहा और वे शब्द आज भी मेरे कानों में गूंजते हैं और मुझे इस बात की खुशी है कि आज कानून बनाते वक्त हमारे आनरेबल मिनिस्टर साहब ने उन बातों को भी ध्यान में रखा है । उस बच्ची ने कहा कि आप ने हम से यह कहा है कि हम बुरी औरतें हैं । आप ही बताइय कि हम ने कौन सा जुल्म किया है कि हम को समाज से निकाल बाहर फेंक दिया गया है । यह भी आप लोगों की कोशिश रहती है कि इन को यहां से उठाया जाये और वहां से हटाया जाये । क्या आप लोगों ने कोई कानून भी बनाया है । उस ने आगे कहा कि हम बुरी औरतें ही सही लेकिन कभी किसी झाड़ी में से बच्चा पड़ा हुआ मिलता है, कभी किसी पेड़ के नीचे से बच्चा पड़ा हुआ मिलता है, कभी सड़क पर से पड़ा हुआ मिलता है तो वे तो हमारे बच्चे नहीं होते हैं । वे तो अच्छे अच्छे और ऊंचे ऊंचे घरानों की बहनों के बच्चे होते हैं । उस ने कहा कि जो पुरुष यहां पर आते हैं वे समाज में अच्छा स्थान प्राप्त किये हुए पुरुष होते हैं और अच्छा स्थान प्राप्त भी करते हैं । यह भी उन्होंने कहा कि जो लोग यहां पर आते हैं व हम को बहकाते हैं । कोई शादी का लालच देता है कोई रुपये पैसे का लालच देता है । हम दो टुकड़े रोटी के लिये अपनी इज्जत बेचती हैं लेकिन जो लोग यहां आते हैं उन के यहां आप दावतें खाते हैं, उन के यहां आप शादियों पर जाते हैं, अच्छे अच्छे लोग उन को जानते हैं और उन का समाज में एक मुख्य स्थान होता है । इस के विपरीत हम को आप समाज से निकाल कर हमारा अपमान करते हैं । आज ये तमाम बातें मेरे सामने हैं । मैं इन बातों में बहुत सच्चाई देखती हूं, इस वास्ते अर्ज करती हूं । ये सब चीजें हमारे सामने हमेशा रहनी चाहियें । आज जो एक मुख्य सवाल हमारे सामने है, वह एक आर्थिक सवाल है । मैं आप को

एक बात यहां पर और बतलाना चाहती हूं उस होम में एक साहब आये जोकि अपनी बहन को छुड़ा कर ले जाना चाहते थे। उन्होंने इस बात की जमानत दी और कई हजार को जमानत दी और साथ ही साथ गारंटी भी दी कि वे अपनी बहन से यह काम आयंदा नहीं करवायेंगे। जब यह सब चीज हो गई तो उन से पूछा गया कि तुम्हारी बड़ी बहन भी तो यह काम करती है, उस से भी यह काम तुम क्यों नहीं बन्द करवाते। जब तुम कहते हो कि छोटी से तुम यह काम नहीं करवाओगे तो बड़ी से क्यों करवाते हो। उस ने कहा कि हम ४० आदमी खाने वाले हैं और यह लड़की सब को कमा कर खिलाती है। इसी तरह एक दूसरी छोटी सी लड़की बेचारी उस होम में रो रही थी। वह इतना रो रही थी कि सब लोग परेशान थे। हमारी एक कार्यकर्त्ता ने जोकि हमारे अपर हाउस (राज्य सभा) की मैंबर हैं, उस से पूछा कि आखिर इतना रोने की क्या बात है। उस लड़की ने कहा कि मेरे मां-बाप ने मुझ को पाला—जैसे सभी मां-बाप पालते हैं—और मुझ को खिला पिला कर बड़ा किया, लेकिन आज जब मैं उन को कमा कर खिलाने लायक हुई हूं, तो आप मुझे पकड़ कर यहां ले आये हैं।

कहने का अभिप्राय यह है कि यह समस्या इतनी ही नहीं है कि हमने एक कानून बना दिया और कुछ स्त्रियों को पकड़ कर बन्द कर दिया। जब तक हमारा सामाजिक और आर्थिक ढांचा नहीं बदलेगा, तब तक हम इस समस्या को पूर्ण रूप से हल नहीं कर सकते हैं। इस बिल का स्वागत करते हुए भी मुझे आनरेबल मिनिस्टर महोदय से कहना है कि जहां जहां यह बिल लागू किया जाय, जहां जहां इस कानून का असर हो, वहां इस बात की कोशिश जरूर होनी चाहिये कि किसी भी बहिन को आश्रय देने से इन्कार न किया जाये। मैं ने इस बिल में पढ़ा है कि कुछ प्रोटेक्टिव होम्ज (सुरक्षा-गृह) बनाये जायेंगे, जहां सरकार उन स्त्रियों या लड़कियों को आश्रय देगी, जोकि ब्राथल्ज (वेश्याघर) से या ऐसी किसी और जगह से निकल कर वहां रहना चाहें। मेरी राय यह है कि—और आनरेबल मिनिस्टर इस बात को स्वीकार करने की कृपा करें—उन होम्ज में केवल उन्हीं स्त्रियों को आश्रय न दिया जाये, जोकि ब्राथल्ज से निकल कर वहां रहना चाहें, या वहां से बचा कर निकाली जायें, बल्कि जो कोई भी निराश्रित स्त्री वहां आये—चाहे वह आरफ़न (अनाथ) हो, पति द्वारा छोड़ी हुई स्त्री हो, जिस का कोई आश्रय न हो, जिस के पास खाने रहने का कोई साधन न हो, उस को भी आश्रय देने की मेहरबानी उन को करनी चाहिये। हमारे पास अनगिनत बहिनें ऐसी आती हैं, जिन के पास कोई काम नहीं होता है, कइयों के बच्चे होते हैं और कईयों के नहीं भी होते हैं, जिन के पास रहने का कोई ठिकाना नहीं होता है, जिन के सामने यह समस्या होती है कि एक वक्त का खाना कैसे मिले। जो कुछ हम उन के लिये कर पाते हैं, वह हम कर देते हैं, नहीं तो अपनी विवशता प्रकट कर देते हैं, लेकिन उन की तस्वीर हमारी आंखों के सामने घूमती रहती है। इतने बड़े समाज में, इतने बड़े देश में, ऐसे समाज में, जहां आज मजदूर भी इज्जत से कमा नहीं सकता है, जहां किसान भी इज्जत से कमा नहीं सकता है, जहां असंख्य ऐसे रोजगार हैं, जिन में रह कर कोई इज्जत से खाना नहीं खा सकता है, उस समाज और देश में अगर बहिनें निरुपाय और निराश्रित घूमें, तो आखिर वे कितनी देर तक ठीक और अच्छी रह सकती हैं, मान और इज्जत का जीवन व्यतीत कर सकती हैं? यह बात सोच कर हमारा दिल कांप उठता है कि ऐसी स्त्रियों की क्या दुर्दशा होती होगी और उन को क्या क्या करने को विवश होना पड़ता होगा। इसलिये मैं मिनिस्टर महोदय से दरख्वास्त करती हूं कि वह ऐसी व्यवस्था करें कि चा

[श्रीमती सुभद्रा जोशी]

इस होम में—या इस प्रकार के किसी दूसरे होम में—किसी भी ऐसी स्त्री को आश्रय दिया जायेगा, जोकि निराश्रित होगी, जिस के पास खाने का इन्तज़ाम नहीं होगा, रहने का इन्तज़ाम नहीं होगा और सरकार की यह बात डिक्लेयर (घोषित) करनी चाहिये । आज हम देखते हैं कि रोज़गार नहीं मिलता है, तो लोग चोरी करते हैं, डाका मारते हैं और किस्म किस्म के बुरे काम करते हैं । आज हमारी बदस्किमती से स्त्रियों की बहुत तरक्की होने के बावजूद, उन में शिक्षा का बहुत प्रसार होने के बावजूद, हमारे सामने शादी के सिवा खाने-पीने का और कोई धन्धा नहीं है, कोई प्रोफेशन (व्यवसाय) नहीं है । इसलिये अगर किसी की शादी नहीं हुई, या इत्तिफ़ाक से खराब हो गई, पति ने उस को छोड़ दिया, पति मर गया या पिता मर गया और उस का कोई सहारा नहीं रहा, तो उस निराश्रित बहिन को आश्रय देना सरकार का काम होना चाहिये ।

सभापति महोदय, मुझे यह भी कहना है कि एक बात को सुन कर मुझ बड़ा ताज्जुब हुआ है । वह बात हमारे कुछ लोगों ने कही है और आनरेबल मिनिस्टर ने भी कही है । मैं ने उन को मिस-अंडरस्टैंड नहीं (ग़लत नहीं समझा) किया है । उन्होंने कानूनी दिक्कत बताई और कहा कि प्रास्टीच्यूशन (वेश्यावृत्ति) को बैन (प्रतिबन्धित) करना हमारे लिये मुश्किल है । एक आनरेबल मेम्बर की बात सुन कर तो मुझ और भी ताज्जुब हुआ । उन्होंने पुरानी किताबों का रेफरेंस दे कर कहा कि प्राचीन ज़माने में यह सब कुछ था । मैं यह जानती हूं कि कुछ लोग ऐसे भी हैं, जो कहते हैं कि किसी न किसी प्रकार की वेश्यावृत्ति रखना समाज के लिय अच्छा है । उन्होंने यह भी कहा कि हमारे कांस्टीटयूशन (संविधान) के अनुसार कोई कुछ भी प्रोफ़ेशन (व्यवसा) रखे, उस को कोई भी प्रोफ़ेशन रखने का अधिकार है । मुझे यह निहायत अदब से अर्ज़ करना है कि आज वक्त बदल रहा है । एक वक्त था, जबकि यह थ्योरी (सिद्धान्त) प्रचलित थी—जिस का आश्रय बड़े बड़े कैपिटलिस्ट्स (पूंजीपति) लिया करते थे—कि हर एक को बिज़िनेस (व्यापार) करने का अधिकार है, कोई कारखाना चलाये, व्यापार करे, किसी पर कोई प्रतिबन्ध नहीं होना चाहिये । हम देख रहे हैं कि आज हमारी सरकार का नज़रिया (दृष्टिकोण) बदल रहा है । आज हम लोग यहां पर समाजवादी ढांचा ला रहे हैं । आज हम सारी चीज़ों को बदल रहे हैं । आज हम ब्लैक-मार्केटिंग (चोरबाजारी) को रोकने के लिये कई प्रकार के कदम उठा रहे हैं । आज हम बड़े बड़े कारखानों और व्यापारों पर प्रतिबन्ध लगा रहे हैं । आज हम हर ऐसी सब चीजों को खत्म कर रहे हैं, रोक रहे हैं, जोकि हमारे विचार में समाज और देश के लिये नुक्सानदेह (हानिकर) हैं ।

इसलिये मैं अर्ज़ करूंगी कि अगर इस प्रकार के काम को करने में कान्स्टीच्यूशन (संविधान) की कोई धारा बाधक है, हमारे रास्ते में कांस्टीच्यूशन की कोई बात रुकावट है, तो हमें कांस्टीच्यूशन को बदल देना चाहिये और इस किस्म के प्रोफ़ेशन (व्यवसाय) पर जल्दी से जल्दी प्रतिबन्ध लगा देना चाहिये, जिस से कोई अपनी इज्जत बेचे, जिस से समाज और देश का नुक्सान हो ।

[MR. DEPUTY SPEAKER *in the Chair*]

16-36 HRS.

कुछ और लोगों ने कहा कि अगर हम इस को बन्द करते हैं, तो यह अंडरग्राउंड (गुप्त रूप में) चला जाता है । यह तो बहुत पुराना बहाना है और इस की ओर ध्यान देने की कोई आवश्यकता नहीं है ।

बहुत से कानून हम बनाते हैं—और उसी तरह का आज का यह कानून है—जिन का उद्देश्य लोगों के जीवन को कई प्रकार से ऊंचा, अच्छा और सुखमय बनाना होता है, लेकिन इस का यह कतई मतलब नहीं होता है कि हम समझते हैं कि सब के आचरण शुद्ध हो जायेंगे । कोई किसी का आचरण कानून से बहुत हद तक अच्छा नहीं रख सकता है, लेकिन फिर भी हमारे आपस के बिहेवियर (व्यवहार), सोशल बिहेवियर (सामाजिक व्यवहार), पड़ोसियों के बिहेवियर, घर में एक दूसरे के ताल्लुकात में कानून काफ़ी हद (पर्याप्त सीमा) तक दखल देता है । हम लोग एक दूसरे के ताल्लुकात के सम्बन्ध में बहुत से कानून बनाते हैं । आज अगर यह कहा जाय कि कानून बनाने से कोई बुरा काम ऊपर से हट कर नीचे होने लगेगा, तो वह एक बहाना मात्र है और हम को उस से बिल्कुल नहीं डरना चाहिये और इस कानून को—और इस प्रकार के दूसरे कानूनों को—जल्दी से जल्दी पास करना चाहिये । यह सोचना कि किसी बुरे काम को रोकने से वह अंडरग्राउंड चला जायगा, एक बात है, लेकिन हम उस में कोई बुराई नहीं देखते हैं, उस की खुल्लमखुल्ला करते हैं, न उस के खिलाफ समाज आवाज उठाता है और न सरकार कोई कदम उठाती है और स्त्रियों को इस बात पर मजबूर (विवश) किया जाय कि वे अपनी इज्जत बेच कर कमायें और दूसरे लोग खायें, इस से ज्यादा सर्वनाश की बात किसी मुल्क के लिये नहीं हो सकती है । मुझे सचमुच इस बात का बड़ा अफसोस है कि इस बिल को इतने वर्षों के बाद हमारे सामने लाया गया है । आज मुझ को इस बात की चिन्ता हो रही है कि जब पार्लियामेंट (संसद्) खत्म होने वाली है, दूसरे चुनाव होने वाले हैं, तो इस कानून को हमारे सामने लाया गया है । खतरा यह है कि बरसों से चल रहे इस कानून को आज यहां पर लाया गया है, पर इस पार्लियामेंट के खत्म होने से पहले यह पास न हो सके और फिर आगे चला जाये और उस लम्बे इतिहास को दोहराया जाय । इसलिये मैं आनरेबल मिनिस्टर से दरख्वास्त करूंगी कि जो हुआ, सो हुआ, अब भी यह एक मुनासिब (उपयुक्त) कदम है, जोकि सरकार ने उठाया है और जिस की तरफ हमारे समाज की तवज्जह (ध्यान) दिलाई है । मुझे उन से यही दरख्वास्त करनी है कि वह इस को जल्दी से जल्दी दोनों हाउसिज (सदनों) से पास करवायें । साथ ही मैं यह निवेदन करूंगी कि इन होम्ज में केवल उन्हीं बहिनों को आश्रय न दिया जाय, जोकि उस घृणित काम में फंस चुकी हैं, बल्कि उन निराश्रित औरतों को इस काम में फंसने से रोकने के लिये रोजगार दिया जाय और इन होम्ज में आश्रय दिया जाय ।

श्री नंद लाल शर्मा (सीकर) :

नमोऽस्तु रामाय सलक्ष्मणाय,
देव्यै च तस्यै जनकात्मजायै ।
नमोऽस्तु रुद्रेन्द्र यमानिलेभ्यो,
नमोऽस्तु चंदार्कमरुद्गणेभ्यः ।

माननीय उपाध्यक्ष महोदय, महिलाओं और कन्याओं के अनैतिक व्यापार की रोकथाम करने के लिये यह विधेयक हमारे सामने उपस्थित है । मैं समझता हूं कि कांग्रेस सरकार ने कुछ अच्छा काम भी किया है । यदि वह इस काम में सफल हो जाय, तो मैं उस को अवश्य बधाई दूं । इस में सन्देह नहीं कि शक्ति प्राप्त करने के बाद इतने वर्षों में आज हम एक ऐसा विधेयक उपस्थित कर सके हैं, जो देश के चरित्र स्तर को ऊंचा बनाने में समर्थ हो सके । यद्यपि ऐसे कितने ही काम किये गये, जिन से देश की चरित्र शक्ति को धक्का अवश्य लगता है और उस में हमारी भारत सरकार की धर्म-निरपेक्ष नीति—सैकुलर नीति—एक मुख्य कारण है । जनता में—हमारे बालक-

[श्री नंद लाल शर्मा]

बालिकाओं में—धार्मिक शिक्षा के प्रसार, आध्यात्मिक शिक्षा और अपने देश की प्राचीन संस्कृति की शिक्षा को रोक देना निश्चित ही उस में एक बड़ा भारी धक्का लगाने वाला है ।

मेरा कहना यह है कि जिस तरह से हम ने चोरी के लिये कानून बनाया हुआ है और हालांकि चोरी उस से रुकी नहीं है तो भी चोरी के कानून की आवश्यकता है, कत्ल का कानून बना है और हालांकि क़त्ल का अपराध रुका नहीं है तो भी क़त्ल के क़ानून की आवश्यकता है, इसी प्रकार से चरित्रहीनता का भी क़ानून द्वारा रोका जाना आवश्यक बात है ।

मैं इतना और निवेदन कर दूं कि हमारे बन्धु श्री रघुबीर सहाय ने जो यह कहा था कि प्राचीन इतिहास में भी इस कुप्रथा और परम्परा का उल्लेख मिलता है और यह उस वक्त भी हमारे सामाजिक जीवन में विद्यमान थी, तो मैं उन के इस कथन का सर्वथा विरोध करता हूं । मैं आप को बतलाना चाहता हूं कि वैदिक काल में हमारे महर्षि लोग जिस समय कि राजा के द्वार से कभी एक कौड़ी की चीज़ नहीं खाते थे और वैदिक काल में इस का उल्लेख मिलता है कि महर्षि लोगों ने राजा अश्वपति का आतिथ्य लेने से इंकार कर दिया और उन्हों ने साफ कह दिया कि वे राजा का अन्न खाने को तैयार नहीं हैं तो उस अवसर पर राजा अश्वपति की वेद में इस तरह की घोषणा मिलती है :

"नमेस्तेतो जनपदे न कदर्यो न मद्यप:
नानाहिताग्निर्नाविद्वान्न स्वैरी
स्वैरिणी कुत: ।"

अर्थात् मेरे राज्य के भीतर एक भी चोर नहीं है, एक भी कंजूस और कायर नहीं है, एक भी अपठित नहीं है, मेरे राज्य में कोई मदिरा पीने वाला नहीं है, मेरे राज्य में कोई व्यभिचारी पुरुष नहीं है और इसलिये कोई व्यभिचारी स्त्री मेरे राज्य में कभी हो ही नहीं सकती । मैं इसलिये निवेदन करता हूं कि आज जो भारत हम देख रहे हैं उस पर पिछले डेढ़ हजार वर्ष की दासता की छाप पड़ी हुई है और प्रभाव पड़ा हुआ है और आज का भारत पुरातन भारत के वास्तविक स्वरूप को नहीं बतलाता है । भारतवर्ष के ऊपर पिछले डेढ़ हजार वर्ष से जिन विदेशियों का साम्राज्य रहा, उन्हों ने अपनी संस्कृति के द्वारा उस की वास्तविक संस्कृति को नष्ट भ्रष्ट कर दिया और निश्चय ही उस अशुद्ध संस्कृति में हम को वास्तविक भारत के स्वरूप की झांकी नहीं देखने को मिल रही है । हमारी पुरातन संस्कृति कितनी गौरवशालिनी थी इस की साक्षी स्वयं हमारी श्री रामायण है । सीता को रावण भरी सभा में सोने की लंका का और पांच हज़ार रानियों के ऊपर पटरानी बना कर रखने का प्रलोभन देता हुआ यह कहता है : "पंचदास्य: सहस्राणि सदा स्था-स्यन्ति सम्मुखे" । वह सीता को कहता है कि पांच हज़ार मेरी रानियां तेरे आगे हाथ बांध कर खड़ी रहेंगी और तेरी दासियां बन कर रहेंगी, तू केवल एक बार मेरी ओर आंख उठा कर देख भर ले । लेकिन सीता ने उस को तिनके के समान भी नहीं समझा और उस को कहा कि तू कुत्ता है और तेरा और राम का मुक़ाबला ही क्या जो सिंह समान हैं और यदि राम से तेरा सामना हो गया होता तो तेरी अस्थियों तक का पता नहीं चलता । इस सीता, सावित्री और सती अनसूया के देश में जहां कि स्त्रियों के चरित्र के सम्बन्ध में गोस्वामी तुलसीदास ने कितने सुन्दर और सस्पष्ट शब्दों में इस तरह चित्रण किया है :

"उत्तम के असबस मन माहीं,
सपनेहु आन पुरुष जग नाहीं ।

मध्यम परपति देखहिं कैसे,
पिता, पुत्र, भ्राता निज जैसे ॥"

अर्थात् उत्तम स्त्री अपने पति को छोड़ कर दूसरे पुरुष को पुरुष नहीं मानती । मध्यम स्त्री अपने पति के अतिरिक्त बाक़ी पुरुषों को अपने से बड़े को पिता, अपने से बराबर को भाई और अपने से छोटे को पुत्र मानती है, ऐसी परिस्थिति में कभी भी यह नहीं कहा जा सकता कि हमारे शास्त्रों में इस वृत्ति को बतलाया गया है । हमारे यहां अप्सराओं का उल्लेख अवश्य मिलता है लेकिन उन का काम केवल गान विद्या और नर्तन विद्या सीखने और उस का प्रदर्शन करने तक ही सीमित रहता था । आज आप के कितने ही गुडविल मिशंस में इस गायन और नर्तन विद्या का प्रयोग हो रहा है और हमारी बहनें शुद्ध कला के भाव से प्रेरित हो कर इस को सीखती और प्रदर्शित करती हैं और मैं कम से कम उस के वास्ते अपनी बहनों को दुश्चरित्र कहने के लिये तैयार नहीं हूं जब तक कि वे किसी दूसरे पाप कर्म की ओर प्रवृत्त न हों और न आज और न ही कभी पहले हमारे राष्ट्र ने गायन और नर्तन कला को कुदृष्टि के भाव से देखा था और इन विद्याओं के अन्दर जो हमारी बहनें विशुद्ध कला की सेवा की भावना से रहती आई हैं उन को दुश्चरित्र अथवा चरित्रहीन समझा है ।

हमारे एक बन्धु डा० रामा राव ने इस कुप्रथा के लिये हमारी स्त्रियों में फैली हुई दरिद्रता को जिम्मेदार बतलाया । मैं उन के इस विचार से पूर्णतः सहमत नहीं हो सकता क्योंकि हिन्दुस्तान कोई थोड़े समय से दरिद्र तो हुआ नहीं है, वह तो काफी समय से जब से उस पर विदेशियों द्वारा आक्रमण हुए और जब से उस का धन और उस के रत्न दूसरे देशों में ले जाये गये, तब से यह देश दरिद्र बना हुआ है पर यहां पर सदा ऐसी स्त्रियां रही हैं जिन्हों ने अपने पति के साथ सूखे चने चाब चाब कर और दुखपूर्ण जीवन निर्वाह किया है और अपने पतिव्रत धर्म का पूरी तरह पालन किया है । पातिव्रत धर्म का पालन करने वाली स्त्रियां कोई राजमहलों में ही होती हों और गरीबों की झोंपड़ियों में न मिलती हों, ऐसी बात इस हिन्दू जाति में और इस भारतवर्ष में कभी देखने को नहीं मिली । इसलिये मैं दरिद्रता को मुख्य कारण नहीं मानता हूं यद्यपि मैं इसे एक कारण अवश्य मानने को तैयार हूं । मेरा तो विचार है कि दूसरी संस्कृतियों का प्रभाव पड़ने से और अपने शास्त्रों का प्रभाव घटने से और अपने धर्म के प्रति आस्था घटने से धीरे धीरे मनुष्यों के चरित्र में जो पतन आता गया, उस के कारण यह कुवृत्ति हमारे देश और समाज में निरन्तर बढ़ती चली गई । मैं समझता हूं कि हर कोई इस सरकार का आभारी होगा अगर वह इस तरह का क़ानून बना कर उसी तरह के कठोर दंड की व्यवस्था करें जैसेकि शूर्पणखा की उस की दुष्टता और चरित्रहीनता के वास्ते सजा दी गई और उस की नाक और कान काट डाले गये और दुष्ट रावण का नाश किया गया, मैं समझता हूं कि अगर हमारा उसी तरह का कठोर दृष्टिकोण रहा तो हम अपने देश और समाज से इस कुप्रथा की मिटा सकते हैं ।

यह दुर्भाग्य का विषय है कि इसी सरकार ने दूसरी ओर हिन्दू तलाक़ बिल को स्थान दे कर जहां कुमारियों के लिये पति की समस्या को हल करने की चेष्टा की है, विधवाओं के लिये पति का प्रश्न हल करने की कोशिश की है वहां उस ने सधवाओं के लिये भी पति की प्राप्ति के लिये आवश्यक मार्ग खोल दिया है जो वांछनीय नहीं है ....

उपाध्यक्ष महोदय : आज तो माननीय सदस्य इसी बिल के ऊपर रहें जिस के कि लिये वे गवर्नमेंट के आभारी हो रहे हैं ।

श्री नन्द लाल शर्मा : मैं यह बतला रहा था कि उस बिल के अन्दर खराबी क्या है । जहां हम ने उस कानून के द्वारा यह दिखलाया है कि हम ने अपनी बहनों के वास्ते स्वर्ग के द्वार खोल दिये हैं वहां मैं उस बड़े छिद्र की ओर संकेत कर रहा था जिस के कि द्वारा और पाप निकलने वाला है । मैं समझता हूं कि जब तक हम सघन्ना स्त्रियों को उन के घरों से असन्तुष्ट रहने का प्रलोभन देते हैं तब तक हम उन को पतिव्रत धर्म का पालन करने की प्रेरणा नहीं दे सकेंगे । मैं अब भी आशा करता हूं कि भगवान समय रहते हमें ऐसी सद्बुद्धि प्रदान करे और हम फिर अपने उसी पुरातन मार्ग पर लौट कर आयें जहां कि तलाक शब्द का नाम भी सुनने को नहीं मिलता था और यह शब्द मैं नहीं बल्कि आप के बड़े से बड़े जूरिस्ट्स (विधि वेत्ता) कहते रहे हैं और मुझे पूर्ण विश्वास है कि यदि हम उसी पुराने मार्ग पर चले तो उस से हमारी जाति, देश और राष्ट्र का बड़ा लाभ होगा ।

इसी के साथ साथ मैं चाहता हूं कि स्कूलों और कालिजों में सैकुलर (धर्म निरपेक्ष) शिक्षा का परित्याग कर के पुनः धार्मिक शिक्षा का प्रसार किया जाय और अगर ऐसा किया गया तो मेरा विश्वास है कि उस से विशेष लाभ हमें प्राप्त हो सकेगा ।

एक शब्द और कह कर मैं समाप्त करूंगा । पुलिस, राजकीय कर्मचारी और मजिस्ट्रेट (दंडाधीश) अधिकांशतः पुरुष होते हैं और उन के चरित्र में पतन की सम्भावना है, इसलिये स्त्री महिला पुलिस और महिला मजिस्ट्रेट का भी इस सम्बन्ध में विधान किया जाय और उन्हीं के पास ऐसे केसेज़ भेजे जाने का प्रबन्ध किया जाय तो इस में विशेष लाभ होगा ।

मैं इस विधेयक के विशेष विस्तार में इस समय नहीं जाता, आवश्यकता पड़ने पर मैं उस के सम्बन्ध में अपने संशोधन उपस्थित करूंगा । इन शब्दों के साथ मैं मंत्री महोदय की इस विधेयक के लाने के लिये धन्यवाद देता हूं ।

Dr. Jaisoorya (Medak): I was not present in the ancient Vedic days, nor was my friend. It must have been a wonderful period, but let us look at the reality of today. The reality is that there is prostitution. The reality is that there is commercialisation of vice. I think this Bill intends to prevent or minimise the commercialisation of vice. It is not claiming that it is going to abolish prostitution. But let us begin somewhere. Let us try to work through these means, by properly applying these laws, not only through law but through social pressure and social co-operation. These laws, at least, tell you of our intention to abolish or counteract commercialised vice. That is all. If we imagine that with one blow we are going to cut off this hydro-headed monster, I am afraid that is aiming too high. But let us begin somewhere, let us go to some extent.

I think from the entire debate it will become increasingly clear that prostitution is a manifestation of a socio-economic condition. This is only a manifestation.

In this Bill, there is no provision for such a wide scheme as social reform or alteration or improvement of the socio-economic condition as a result of which prostitution becomes impossible or commercialisation of prostitution becomes less possible.

The third thing that I find is this. Although our sister, Shrimati Subhadra Joshi, said that she was not afraid of this commercialised vice going underground, our experience has been that it does go underground. You brought in prohibition, and drink went underground. If you have the money, you can get any amount of drink, and all your prohibition disappears. However, this in only one part of the process.

I have no doubt that once society has declared its intention of being drastic in its measures against, shall we say, known vice, commercialised vice, or organised vice, the people will co-operate with you in order to bring about a certain amount of decency. Obviously, as long as there are men who have money with which to buy, and as long as there are hungry women who have bodies to offer, some form of clandestine trade would take place. I do not say it will go, but I want to minimise it.

I also had the privilege of going to China, and I saw what the condition there was. And I have made a very serious study of this problem as a medical man, because this is the most prolific source of infection. You will be surprised if I tell you that the statistics of Hamburg city show that the infections are 110 per cent. You will ask me how it is 110 per cent. 110 per cent means that there are double and treble re-infections. Then, the latest news is that 11 out of every one hundred in America may have to spend some portion of their time or the other either in the hospital for venereal diseases or for mental disturbance. Now, these are all the problems that I face.

We cannot have absolute purity, as is claimed to be the case in the grand old days of the Vedas. But I remember very well that in the *Atharva Veda* there is a very classic description of the disease of syphilis. If the people had all been pure people three thousand years ago, then we would not have had the most classic description of syphilis and of how to treat it.

Therefore, let us take things as they stand today. There is vice, and there is going to be vice, but I do not want commercialisation, for, it means degradation of society. Commercialisation of vice is taking place with impunity. If it is not in the red-lantern areas of Kamatipura or Foras Road, in Bombay it is in Byculla, in Colaba and it is in Expensive Hotels, and it is in the highest areas. However, these are things which can disappear only when society will learn the use of money and people do not have unlimited sources of money, and women also are given economic independence. In fact, economic dependence is the prolific source of women being forced into prostitution.

In China, as far as I know,—and I have made enquiries,—there is the feeling that a woman is independent. She feels that she is somebody. Even the poorest woman there has been given half an acre of land, and, therefore, she begins to feel that she is an individual, and there is not so much of roaming about in China as is here, because of unemployment and the uncertainties of life. Owing to these reasons, people travel here and there, and try to live like a nomadic society, and they try to find out a wife at every port. But, in China, as far as I know, these things have disappeared, and economic independence has given women a certain amount of stability. Of course, there are women that can be bought for a pair of nylon stockings or nylon saris. But that is a different matter. That is not compulsory prostitution. What we are trying to avoid is this forcing of women through economic pressure into a life which is absolutely undesirable and unsocial. As far as that is concerned, I completely agree.

Secondly, I am glad that you are going to have a very special cadre of police. My experience has been that the police are not only the greatest protectors of this vice but also free patrons; they get free service. I may tell you of just one instance. They are the great champions of bootlegging; they are the protectors of *goondas* and *goondagiri*.

An Hon. Member: They also protected you!

Dr. Jaisoorya: I am not a salesman. Perhaps, my hon. friend was sleeping.

If you are going to have a special cadre of police, I would say that you should have a special non-official au-

[Dr. Jaisoorya]

xiliary police force for this purpose. For instance, in Bombay, there is the vigilance squad. I think my hon. friend knows about the Vigilance Society. They had been doing very good work, but I may tell you that they got no support from the police.

For eradicating this evil, you must have a social outlook, and a social organisation that will co-operate with you. If you cannot abolish it altogether, at least you can reduce it by fifty per cent; if you can show your *bona fides* and your intentions of reducing it by law, I think you would have done a great piece of work, and in the next five years, we shall know how much work has been done, and how this is to be eradicated. But a beginning has been made. That is why I congratulate you.

I support the Bill.

Shri Raghavachari (Penukonda): I rise to support the Bill but I also wish to say that the Bill is not expected to do the trick. However, I think that the title of the Bill is very appropriate, because it is only 'Suppression of immoral traffic in women and girls', by which it is clear that it is not even kept as an ideal that it will be completely abolished or eliminated from society; it is only suppression of the traffic. That means that the evil which is the root cause on which this Bill is based will continue, and the traffic will only be suppressed.

We know what is generally meant by the word 'suppression'. Suppression results by not allowing a particular thing to become visible everywhere to the naked eye. So, it goes underground. That is what we understand by suppression.

Mr. Deputy-Speaker: That cannot be the objective.

Shri Datar: My hon. friend is rather legalistic. Suppression means eradication.

Shri Raghavachari: I shall presently explain what exactly I mean. To my mind, it looks as if this entire Bill will simply result in mere suppression of this traffic and not in its removal or abolition. That is what exactly is going to be; there must be other conditions, and there must be other remedies before you can really root out this disease.

This business is based on a biological urge. No man or woman can really prevent the two coming together. That is a biological truth. So, if you want to avoid this kind of thing, that is possible only when every man or woman happens to be married, and married happily. So long as there are men without marriage, so long as there are women without marriage, the biological urge is bound to assert itself. I am not saying anything which is unreasonable. You may just contemplate how many are unmarried or married unhappily. So, this biological urge is always there. So long as human nature continues to be what it is, it is bound to be there.

Shri N. R. Muniswamy (Wandiwash): The hon. Member can continue tomorrow.

Mr. Deputy-Speaker: There is still half a minute left. Is the hon. Member likely to take some more time?

Shri Raghavachari: I wish to take about seven or eight minutes more.

Mr. Deputy-Speaker: The hon. Member can continue tomorrow. The House will now stand adjourned till 11 A.M. tomorrow.

17.00 HRS.

The Lok Sabha then adjourned till Eleven of the Clock on Friday, the 30th November, 1956.

COLUMNS

PETITION PRESENTED . 1399

Shri Viswanatha Reddy presented a petition signed by a petitioner suggesting amendment of the Indian Posts and Telegraphs Act and the Rules framed thereunder

BILL PASSED . . . 1399—1449

Further discussion on the motion to consider the Motor Vehicles (Amendment) Bill as reported by the Joint Committee was concluded and the motion was adopted. After the clause-by-clause consideration, the Bill was passed as amended.

COLUMNS

BILL UNDER CONSIDERATION . . . 1449—1518

The Minister in the Ministry of Home Affairs (Shri Datar) moved that the Suppression of Immoral Traffic in Women and Girls Bill as reported by the Select Committee be taken into consideration. The discussion was not concluded.

AGENDA FOR FRIDAY, 30TH NOVEMBER, 1956—

Consideration and passing of the Suppression of Immoral Traffic in Women and Girls Bill and Private Members' Resolutions . . .